



ANNO TRICESIMO & TRICESIMO PRIMO

VICTORIÆ REGINÆ.

Cap. cxxxiv.

An Act for the Improvement of the Township and District of *Dalkey* in the Barony of *Rathdown* and County of *Dublin*. [15th July 1867.]

WHEREAS the Township of *Dalkey* in the Barony of *Rathdown* in the County of *Dublin* is a District in which "The Towns Improvement (*Ireland*) Act, 1854," is in full Force, and under that Act Commissioners for the Improvement of the said Township have been elected and are still in Office: And whereas the Population of said Township has of late Years greatly increased and is increasing, and it is expedient that further and better Regulations should be made for the lighting, paving, sewerage, draining, cleansing, and supplying said Township with Water; and that Provision be made for the Erection of Two Piers or Landing Places, with the proper Works and Approaches, at the Place known as *Coolamore* Harbour, within the Limits of said Township, subject to the Provisions in this Act contained: And whereas Plans and Sections describing the Lines and Levels of those Piers and Landing Places and Works, with a Book of Reference to the Plans, have been deposited with the Clerk of the Peace for the County of *Dublin*: And whereas it is desirable that the making and maintaining of the Roads, Footways, and Bridges within the Township should be

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transferred from the Grand Jury of the County of *Dublin* to the said Commissioners, and that the controlling of Fairs and Markets, and otherwise improving and regulating the Township, should be vested in them: And whereas the Objects aforesaid 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 *Dalkey* Township Act, 1867."

Incorporation of General Acts herein named.

2. "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Amendment Act, 1860," "The Markets and Fairs Clauses Act, 1847," "The Gasworks Clauses Act, 1847," (provided that this Act shall not authorize the making of any Gasworks,) "The Waterworks Clauses Act, 1847," Sections 13 to 19, both inclusive, of the "Railways Clauses Act, 1863," and "The Towns Improvement (*Ireland*) Act, 1854," and all Acts incorporated therewith, "Labourers Dwellings Act, 19 and 20 *Victoria*, Cap. 55," "Summary Jurisdiction (*Ireland*) Act, 14 and 15 *Victoria*, Cap. 92. Sec. 15," (except where any of the Provisions of those Acts respectively are expressly varied by this Act,) are hereby incorporated with and form Part of this Act.

Interpretation of Terms.

3. In this Act the several Words and Expressions to which by the Acts wholly or partially incorporated herewith Meanings are assigned shall have the same respective Meanings, unless there be something in the Subject or Context repugnant to such Construction:

The Expression "the *Dublin* Port and Docks Board" shall mean the Corporation for preserving and improving the Port of *Dublin*, and their Successors, whether incorporated by the same or any other Name:

The Words "Work" and "Railway" in the "Railways Clauses Act, 1863," shall mean respectively the "Piers" and "Works" proposed by the Bill:

The Word "Town" shall mean and include for the Purposes of this Act the Township of *Dalkey* and the Lands and Hereditaments comprised within the Boundaries thereof, already defined under the Provisions of the "Towns Improvement (*Ireland*) Act, 1854;" and wherever the Centre of any Road now forms the Boundary of such Township the whole of such Road shall be included in the said Township, save and except the Roads which form the Boundary between the said Township and that of *Kingstown*:

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The Word "Road" shall include any Street, Footpath, Square, Avenue, Highway, Land, Bridge, Culvert, Court, Alley, Thoroughfare, or public Passage within the Limits of this Act: The Expressions "the Undertakers" in "The Gas Clauses Act, 1847," and in "The Markets and Fairs Act, 1847," shall mean the Commissioners:

The Township of *Dalkey* shall be held to be a Market Town within the Meaning of the 15th Section of the 14 and 15 *Victoria*, c. 92. for the Purposes therein stated:

This Act and "The Towns Improvement (*Ireland*) Act, 1854," and the several Acts and Parts of Acts incorporated therewith, shall, so far as not varied by this Act, be read and construed together, and as if the same and this Act, so far as relates to the said Township, formed but One Act:

The several Lands and Hereditaments comprised within the Limits of the Township 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 *Dalkey* Township," and this Act shall for all the Purposes thereof be put in force within those Limits:

The Expression "the Commissioners" shall mean the Commissioners now acting under the "Towns Improvement Act, 1854," and who shall from Time to Time act in the Execution of the same and of this Act.

4. The Commissioners now acting under "The Towns Improvement (*Ireland*) Act, 1854," and their Successors from Time to Time elected under this and the last-mentioned Act, shall be One Body Corporate by the Name of "the *Dalkey* Township Commissioners," and by that Name shall have perpetual Succession and a Common Seal, and Power to purchase by Agreement, take, hold, or dispose of Lands, Goods, Chattels, and other Property within the Township for the several Purposes but subject to the Restrictions of this Act.

Commissioners for *Dalkey* Township incorporated.

5. This Act shall commence and have Effect on and after the First Day of *September* after the passing hereof.

Commencement of Act.

6. Every Person intending to become a Candidate, and every Person intending to propose a Candidate at any annual Election of Commissioners to be held after the passing of this Act, shall, by Writing under his Hand, left at the Office of the Commissioners Fourteen Days at least before the Day for the Election, signify his Intention to become a Candidate, and stating his Qualification and Place of Abode, or, as the Case may be, his Intention to propose a Candidate, and the Name and Qualification and Place of Abode of the Candidate intended to be proposed by him.

Notice of Nomination of Candidate for Election as a Commissioner.

7. A Person

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Commissioner not disqualified to act as Justice.

7. 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.

Appointment of Officers.

8. The Commissioners may appoint a Clerk, Surveyor, Collector of Rates for the Township, and subordinate Officers to superintend, manage, and conduct the Business of the Township, and may dismiss any of their Officers and appoint others in their Stead, or may discontinue any of such Officers, and may pay them such Salaries or Fees as the Commissioners from Time to Time deem fit out of the Township Rates to be levied under this Act.

Restrictions as to Width of Streets.

9. It shall not be lawful to build in any Street formed after the passing of this Act within the Township any House or Row of Houses unless the House or Row of Houses be at least Twenty Feet from the Centre of the Road, or within Ten Feet from the Side thereof, save with the Consent of the Commissioners, and the Centre of the Road for the Purposes of this Act shall be deemed to be the Centre of the Part thereof made with Gravel or small Stones.

Power to erect Town Hall.

10. The Commissioners may erect and maintain a Town Hall, and for that Purpose purchase such Buildings or Lands within the Township as they may think fit, provided the Cost of the same shall not in the whole exceed One thousand Pounds; provided also, that such Purchase shall be by Agreement and not otherwise, and provided further, that a Resolution to do the same be first passed at a Meeting of the Commissioners specially called for that Purpose, and at which at least Seven Commissioners are present and agree to do the same, and to be confirmed at a subsequent Meeting to be held One Month afterwards, at which a like Number of Commissioners shall attend, but not otherwise.

Roads, &c. to be exempted from Jurisdiction of Grand Jury and placed under Commissioners.

11. 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, Bridge, or Footpath within the Township, save as to existing Contracts as by this Act provided, but all Roads, Bridges, and Footpaths within the Township shall be made and maintained by the Commissioners at the Costs of the Township.

Commissioners to have same Power as Grand Jury for making Roads, &c.

12. 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, open, maintain, and close, as by the Act of the Session of the 6th and 7th Years of William IV. Chap. 116., and the Session of the

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7th and 8th Years of Her present Majesty, Chap. 106., and by any other Acts, are on the Commencement of this Act vested in the Grand Jury of the County of *Dublin* with respect to that Portion of the Road leading from the City of *Dublin* to *Blackrock, Kingstown, and Bray*, and the Maintenance and Repair of which is provided for by Section 117 of the Act of the Session of the 7th and 8th Years of Her present Majesty, Chap. 106. 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 Costs of maintaining and repairing the Road so much of the Cost by that Act made chargeable on the Barony of *Rathdown* as the Valuation of the Lands and Premises comprised within the Township bears to the gross Valuation of the Barony of *Rathdown*.

13. All Contracts made and entered into by and between any Person and the Grand Jury of the County of *Dublin*, or any Person on their Behalf, for the 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 be 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 of the County of *Dublin* 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 of the County of *Dublin* and their Officers for the due Supervision and Execution of the Works according to the respective Contracts are by this Act transferred to and vested in the Commissioners.

Subsisting
Contracts
for Public
Works
within the
Township
vested in
Commis-
sioners.

14. After the Commencement of this Act the Grand Jury of the County of *Dublin* 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 being 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 Expense of any Road, Bridge, or Footway, or other Works, chargeable on the County at large.

Grand Jury
not to pre-
sent for
repairing of
Roads, &c.
within the
Township.

15. 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 of the Township shall remain in full Force and Effect until the several Collections thereunder be fully completed.

Warrants in
force at
Commence-
ment of Act
to continue.

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No Part of Salaries of County Surveyor to be levied off Township.

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

Payment of Grand Jury Cess chargeable on the Township.

17. 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 or separate Warrants 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 or Warrants, and the Amounts set forth in the Warrant shall be the First Charge on the *Dalkey* Township Rates 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 Warrants, and the other within Eight Months after the Delivery thereof.

Manner of enforcing Payments.

18. In case either Payment be not made to the Finance Committee of the County of *Dublin* within the prescribed Period, they may transmit a Copy of the Warrant to a Collector of the Barony, adding thereto a Sum not exceeding Two Shillings in the Pound for the Expenses of applotting and collecting the Amount therein expressed, and the Collector 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 Acts 6th and 7th *William IV.* c. 116., and 7 and 8 *Victoria*, c. 106., and shall have the like Power of applotting, levying, and recovering the same as are given by those Acts or any other Acts now in force and applicable in that Behalf, as fully to all Intents and Purposes as if this Act had not been passed.

Maintenance of Boundary Roads.

19. With respect to the Roads which are the common Boundary of the *Kingstown* and *Dalkey* Townships, it is hereby enacted, that the Expenses of watering, scavengering, lighting, and sewerage, repairing and maintaining of such Roads, and of such other Roads as may hereafter become Boundary Roads between the Townships of *Kingstown* and *Dalkey*, 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

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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 Railway Act (*Ireland*), 1851," or the Acts amending or continuing the same, for determining Questions of Compensation with respect to Lands purchased or taken, or the same may be determined by Arbitration.

20. The Commissioners may erect and maintain a Market House for the Sale of such marketable Commodities as they shall think fit, and shall provide such Rooms for public and other Purposes therein, and such Buildings, Erections, and Conveniences for the Purposes of the Markets, as they may think fit, and from Time to Time alter, enlarge, and improve the said Market House and other Buildings; and the Commissioners may also, if they think fit, erect a Pound House, and the Commissioners may let on Lease the Market House or any Part thereof, or all or any of the Markets and Fairs, and the Tolls arising therefrom respectively, for any Term not exceeding Three Years, upon such Terms and Conditions as may be agreed upon, with a Clause against sub-letting.

Power to erect Market House.

21. The Commissioners, if and when they think fit, may erect or rent by Agreement or Purchase any Lands and Buildings, and fit up and maintain the same for Baths and Wash-houses, and make reasonable Charges for the Use of the same, and for this Purpose may adopt the Provisions of the Act of the Sessions of the 9th and 10th Years of Her present Majesty, Cap. 74., and 10th and 11th Years of Her present Majesty, Cap. 61., relating to Baths and Wash-houses, which are incorporated with this Act.

Power to erect Baths and Wash-houses.

22. The Commissioners may from Time to Time establish in *Dalkey* Township such Fairs and Markets as they think fit, and may maintain and regulate such Fairs and Markets.

Provisions for Fairs and Markets.

23. The Commissioners may from Time to Time license for any Period not exceeding One Year any Number of Males over the Age of Sixteen Years, and Females over the Age of Eighteen Years, they think proper, to act as Porters and ply for Hire, and to be employed in and about such Market Houses and Market Places; and no Person shall ply for Hire there as Porters without such Licence, under a Penalty not exceeding Twenty Shillings for every such Offence; and all Persons so licensed shall be subject to all Byelaws for their Regulation and Government from Time to Time made by the Commissioners, which Byelaws the Commissioners are hereby authorized to make.

Power to Commissioners to license Porters.

24. For

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Fee for Licence.

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

General Market Tolls as in Schedule A.

25. The Commissioners may from Time to Time demand and take from every Person, being the Occupier of any Shop, Stall, Stand, Bench, or Place in any such Market House or Market Place, Tolls not exceeding the general Market Tolls specified in the Schedule A. to this Act annexed.

Wholesale Market Tolls as in Schedule B.

26. The Commissioners may from Time to Time demand and take from every Person bringing into any such Market Place any Waggon or Cart, or pitching in the Market Place any marketable Commodities, Tolls not exceeding the wholesale Market Tolls specified in the Schedule B. to this Act annexed.

Power to construct Weighbridge for Carts, &c.

27. The Commissioners may, at any such Place as they shall think fit within the Township, erect a public Weighbridge, at which all Waggons, Carts, or other Vehicles loaded with Hay, Straw, or other bulky Commodities sold within the Township shall be weighed, charging for the Use of same according to the Rates in Schedule (E.)

Power to build a Station for Fire Engines, Escapes, &c.

28. The Commissioners, if they think fit, may erect any Buildings as Fire-engine Stations for the Accommodation of the Firemen, Horses, and Fire Engines, Escapes, and other Appurtenances for the Extinction of Fire, and may from Time to Time alter the Situation of same.

Fair Tolls as in Schedule C.

29. The Commissioners may from Time to Time demand and take Fair Tolls not exceeding the Fair Tolls specified in the Schedule (C.) to this Act annexed.

Tolls for weighing and measuring as in Schedule D.

30. The Commissioners may from Time to Time demand and take in respect to the Weighing House or Weighing Place for weighing or measuring Articles sold by Weight or Measure, Tolls not exceeding the Weighing and Measuring Tolls specified in Schedule D. to this Act annexed, and such Tolls shall be paid before the Market Note is delivered.

Tolls for weighing Carts as in Schedule E.

31. The Commissioners may from Time to Time demand and take in respect of the weighing of Waggons and Carts Tolls not exceeding the Tolls specified in the Schedule E. to this Act annexed, and such Tolls shall be paid before the Market Note is delivered.

Power to provide Slaughter-houses, &c.

32. The Commissioners may from Time to Time provide Slaughter-houses in the Township, and may demand and take for and

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and in respect of the Use thereof Tolls not exceeding the Slaughter-house Tolls specified in the Schedule F. in this Act annexed.

33. Whereas by "The *Dublin* Corporation Waterworks Act, 1861," the Lord 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 of certain Extra-municipal Districts therein named, and to lay down Mains for the Purpose thereof: Be it enacted, That 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 for all public and domestic Purposes 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 to supply, a Quantity of Water, not less than Twenty Gallons *per Head per Day*, for the Population of the Township from Time to Time, and the Commissioners shall pay, and thenceforth continue 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 Fourpence in the Pound on the Government Valuation from Time to Time made of the rateable Property in the Township, as rated under the Provisions of this Act; the Water to be delivered by the Corporation to the Commissioners at High Pressure, at a Point within the Limits of the Township as fixed by this Act, through a Pipe or Pipes connected with their Mains at such Point as may be mutually agreed upon by the Corporation and the Commissioners, such Point to be so situate as to be capable of delivering the Water of the Corporation under a Head of not less than Two hundred and fifty Feet above the Level of the Sea at Low Water, said Pipe to be laid by and maintained in good Order by the Corporation at their Expense; the Commissioners to supply at the Point of Delivery within the Limits of the Township, or at any other Point or Points from Time to Time mutually agreed on, at their own Expense, a Valve or Valves and Branch or Branches properly constructed: Provided always, that the said Commissioners shall not be at liberty to use, or permit to be made use of, any of the Water so to be supplied by the Corporation to the Township for the Supply of Ships or for manufacturing Purposes, and the Commissioners shall at all Times permit and suffer the Corporation to convey and send through the Mains of the Commissioners any Water which the Corporation may be required to supply for such Purposes, or for the Supply of any adjoining District or Township: Provided also, 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: Provided also, that the

Corporation
of Dublin to
supply
Water.

[Local.]

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Commissioners shall not procure or 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 Quantity and Manner, as in this Section is in that Behalf mentioned.

Power for the Commissioners to supply Water.

34. 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.

Payment of Water Rent to Corporation.

35. The Rent for the Water Supply shall be paid by the Commissioners to the Collector General of Rates for the City of Dublin for the Time being, who is hereby authorized and empowered to collect the same, if called on to do so by the Corporation, and may be collected by him from the Commissioners at the same Time and in the Manner and by the same Means (in addition to any other legal Remedy) 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 and 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 the Payment of the Rent.

Power to Commissioners for the Construction of Piers.

36. Subject to the Provisions of this Act, the Commissioners may construct Two Piers at the Coolamore Harbour, such Piers to commence on the Sea Shore, on the Site of the present Landing Place, and to extend into the Sea One hundred Feet or thereabouts, measured from High-water Mark in a North-easterly Direction from the said Point of Commencement, and may form Two Slips, and lay down Granite Steps from such Piers or Landing Places. The Works authorized by this Section shall be completed within Five Years from the passing of this Act, and on the Expiration of that Period the Powers by this Act granted to the Commissioners for executing said Works shall cease to be exercised, except as to so much thereof as shall then be completed. Provided that if at any Time hereafter the Commissioners for the Time being, in the Exercise of any Powers by this Act or otherwise given to them, deem it expedient to construct public Baths or Bathing Places, the same shall not be erected upon the said Piers or either of them, nor shall any Baths be erected at or on the North-west Side of the intended Pier adjoining Weldon S. Molony's Premises at Coolamore Lodge without the Consent of the said

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said *Weldon S. Molony*, his Executors, Administrators, or Assigns, and that of the Commissioners for the Time being.

37. Provided always, That nothing contained in this Act or any Act herein referred to shall divest, take away, prejudice, diminish, or alter any Right, Duty, Privilege, Power, or Authority, of whatsoever Nature, now vested in said Corporation for improving the Port of *Dublin*.

Saving Rights.

38. Previous to commencing the Piers or any Works under this Act at or in *Coolmore* Harbour the Commissioners shall deposit at the Office of the *Dublin* Port and Docks Board Plans, Sections, and Working Drawings of the said Piers and Works connected therewith, for the Approval of the said Board, such Approval to be signified in Writing under the Hand of the Secretary of the Board, and such Piers and Works shall be constructed only in accordance with such Approval; and all Expenses incurred by the said Board on the Examination of such Works, or of the intended Site thereof, and of the Plans, Sections, and Working Drawings of such Works, shall be paid by the Commissioners to the said Board, and if not paid upon Demand may be recovered with Costs of Suit from the Commissioners.

Working Drawings to be submitted to Board.

39. If any Work to be constructed by the Commissioners in or at *Coolmore* Harbour, or of any Portion of the Work which affects any such Harbour, or Access thereto, shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the *Dublin* Port and Docks Board to abate and remove the same or such Part or Parts thereof as they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Commissioners, and the Amount thereof may be recovered from the Commissioners by the *Dublin* Port and Docks Board, with Costs of Suit.

Board may remove Works abandoned.

40. The Commissioners may from Time to Time, when and as they think fit, make Byelaws for any of the following Purposes:

Byelaws.

- 1. For regulating the Proceedings of the Commissioners;
- 2. For regulating the Duties and Conduct of the Officers and Servants of the Commissioners;
- 3. For regulating and preserving the Condition of the Piers and Harbour and Sea Beach, and for the Prevention of Trespass;
- 4. For regulating the Fares and Charges of Boatmen and Fishermen plying for Hire, for using said Piers and Landing Places, and for enforcing good Order among such Persons;
- 5. For regulating Fairs, Markets, and Market Houses;

Provided always, that no such Byelaws in any way relating to

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Coolamore Harbour, or the Piers and Works, of the Commissioners thereon, or to the Regulation of such Piers and Works, or the Fares and Charges of Boatmen and Fishermen plying for Hire, or using the Piers or Landing Places, shall be valid until the same have been approved by the *Dublin* Port and Docks Board, and certified as approved under the Common Seal of that Board.

Regulating
Conveyance
of heavy
Merchandise
through
Township.

41. Every Person having Charge or Care of any Waggon, Cart, Spring Cart, Dray, or other Carriages used for the Conveyance of heavy Merchandise, such as Coals, Corn, or Timber, who rides on the Shaft of such Conveyance, when loaded with a Burthen exceeding Five Hundredweight, or sits on the Top of his Loading, or who shall drive his Horse or other Animal when laden at a more rapid Pace than a Walk, or who with or without Loading drives furiously when passing through the Township, shall be subject to a Fine not exceeding Twenty Shillings, or to be imprisoned for any Period not exceeding Fourteen Days, with or without Hard Labour, at the Discretion of the Justice or Justices before whom he may be convicted.

Dalkey
Township
Rate.

42. In order to raise Money for the carrying the several Purposes of this Act into execution, the Commissioners may once in every Year, computed from the Third *Thursday*, after the Commencement of this Act, or more often if they think it necessary, make One or more General Assessment or Assessments, to be levied by Two equal half-yearly Instalments, under this Act upon the Occupiers, or, in case the same shall be unoccupied, upon the Owners, of all rateable Property within the Township, and to be called "the *Dalkey* 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 Three Shillings in the Pound; provided also, that the *Dalkey* Township Rate shall be instead of the general yearly Assessment provided for by s. 60 of "The Towns Improvement (*Ireland*) Act, 1854."

Water Rate.

43. Once or oftener in every Year the Commissioners may make a special Assessment, to be called "the *Dalkey* Township Water Rate," under this Act upon the Occupiers, or, in case the same shall be unoccupied, upon the Owners, of all rateable Property within the Township: 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, including laying Mains and all other Works incidental to obtaining

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and maintaining such Supply: Provided also, that the Water Rate shall not exceed in any One Year the Rate of One Shilling in the Pound.

44. Once or oftener in each Year the said Commissioners may make a special Assessment, to be called "the *Dalkey Piers Rate*," under this Act upon the Occupiers, or, in case the same shall be unoccupied, upon the Owners, of all rateable Property within the Township, for the Purpose of making and maintaining the said Piers and Landing Places, and all other Works incidental thereto, according to the Plans and Sections thereof lodged pursuant to the Standing Orders of the Houses of Parliament: Provided that the said Rate shall not exceed in any One Year the Rate of One Shilling in the Pound.

Dalkey Piers Rate.

45. Except so far as is by this Act otherwise provided, the several Provisions of the "Towns Improvement (*Ireland*) Act, 1854," with respect to General Assessments under that Act, shall extend and apply to all the Assessments authorized by this Act.

Provisions of Acts applicable to Water Rates.

46. 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 that Purpose by the Commissioners by at least Seven Days public Notice stating the Object of the Meeting: Provided always, that all Monies raised by any Assessment under this Act shall be applied to the several Purposes for which the same shall be made respectively, and to no other Purpose.

No District Assessment to be made for any local Improvement, &c.

47. For any of the Purposes of this Act the Commissioners may from Time to Time under the Authority of this Act borrow and reborrow on Mortgage of the *Dalkey Township Rate*, or the *Dalkey Piers Rate* or *Water Rate*, any Sum or Sums of Money not exceeding Four thousand Pounds on each of such Rates respectively, provided the aggregate Amount of Money borrowed shall not exceed in the whole Ten thousand Pounds, and the Monies so borrowed shall be applied respectively to the Purposes for which they are so borrowed, and to no other: Provided that when any Portion of the Monies so borrowed is paid off by means of the Sinking Fund by this Act authorized, the Commissioners shall not reborrow on Mortgage of the *Dalkey Township Rate*, or either of the said Rates, any Money so paid off.

Power to borrow on Mortgage of Rate.

48. No Money shall be borrowed on Mortgage by the Commissioners under the Provisions of the preceding Section at any Rate of Interest greater than Six Pounds *per Centum per Annum*: Provided that no Mortgage under this Act shall be granted unless at a Meeting

Restriction as to borrowing.

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of the Commissioners specially called for the Purpose, at which at least Seven Commissioners are present and are consenting to such Mortgage.

Mortgagees may enforce Payment by Appointment of a Receiver.

49. The Mortgagees of any Rate may enforce the Payment of the Arrears of Interest or Principal, or Principal and Interest, due on their Mortgages by the Appointment of a Receiver, and the Amount owing to the Mortgagees by whom the Application for a Receiver is made shall not be less than One Tenth of the Sum secured by Mortgage on such Rate.

Sinking Fund.

50. The Amount to be set apart in every Year by the Commissioners for discharging the Principal Money borrowed on Mortgage shall not be less than One Thirtieth of the Money so borrowed.

Special Rate for Sinking Fund.

51. Once or oftener in every Year the Commissioners shall make a special Assessment, to be called their "Sinking Fund Special Rates," on all the Persons who, as Occupiers or Owners of all Property in the Township rateable to the Dalkey 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 for providing the Sinking Fund for discharging the Principal Money borrowed on Mortgage.

Assessment when computed.

52. Assessments of Rates under this Act shall be calculated from the First Day of January in each Year.

Rates vested in the Commissioners.

53. 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.

Application of Township Rates and Tolls.

54. Except as is by this Act otherwise expressly provided, all Monies raised by the Dalkey Township Rate, Piers Rate, or Water Rate, and all Tolls, Payments for Water, and Penalties from Time to Time received under this Act by the Commissioners, shall, subject to the Payment of the Expenses of obtaining this Act, be applied in Payment of the Costs, Charges, and Expenses of and in any way incident to the Exercise of the Powers and Authorities by this Act vested in the Commissioners, and the carrying of this Act in all other respects into execution.

Application of Penalties.

55. The Justices by whom any Penalty recovered under this Act is imposed shall award it to the Commissioners, to be by them

DALKEY

The Dalkey Township Act, 1867.

them carried to the Credit of the Township Rate, and be applied accordingly.

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

Nothing in Act contained to prejudice Rights of Dublin Corporation.

57. Inasmuch as Edward Love Alma, the present Collector of County Rate for the Barony of Rathdown in the County of Dublin, in which this Township is included, who has held his Office for a Period of Forty-four Years and upwards, will by reason of the passing of this Act be deprived of Part of his Emoluments as such Collector, it is just and reasonable that he should have Compensation therefor: Be it therefore enacted, That the Commissioners shall pay to him the said Edward Love Alma the Sum of Two hundred and fifty Pounds as Compensation in respect of his Loss of Emoluments as aforesaid.

Compensation to late Collector of County Rate.

58. Nothing contained in this Act or in any of the Acts herein referred to shall authorize the said Commissioners to take, use, or in any Manner interfere with any Portion of the Shore or Bed of the Sea, or of any River, Channel, Creek, Bay, or Estuary, or any Right in respect thereof, belonging to the Queen's most Excellent Majesty in right of Her Crown, without the previous Consent in Writing of the Board of Trade, on behalf of Her Majesty (which Consent the Board of Trade may give), neither shall anything in the said Act or Acts contained extend to take away, prejudice, diminish, or alter any of the Estates, Rights, Privileges, Powers, or Authorities vested in or enjoyed or exerciseable by the Queen's Majesty, Her Heirs or Successors.

Saving Rights of the Crown in the Foreshore.

59. All the Costs, Charges, and Expenses incurred by the Commissioners in the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the said Commissioners, and shall be so paid out of Monies raised by or on Credit of the Dalkey Township Rate: Provided that so much of the said Rate as is made for defraying the Expenses of, preparing for, obtaining, and passing this Act, or otherwise in relation thereto, 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: Provided also, that the Rates to be levied under this Act, including any special Rate, shall not exceed in the whole in any One Year the Sum of Three Shillings in the Pound, for any Purpose whatsoever, including the Costs and Expenses of obtaining this Act.

Expenses of Act to be stated in Assessment.

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DALKEY TOWNSHIP.

The SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

GENERAL MARKET TOLLS.

SHOPS.

To be paid by the Occupiers of every inclosed Shop for the Sale of Butchers 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	1	10	0
If let by the Half Year, any half-yearly Sum not exceeding	1	0	0
If let by the Quarter, any quarterly Sum not exceeding	0	10	0
If let by the Week, any weekly Sum not exceeding	0	1	0

BUTCHERS STALLS.

To be paid by the Occupier of every Butcher's Stall, according to 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	1	0	0
If let by the Half Year, any half-yearly Sum not exceeding	0	10	0
If let by the Quarter, any quarterly Sum not exceeding	0	5	0
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	0	10	0
If let by the Half Year, any half-yearly Sum not exceeding	0	5	0
If let by the Quarter, any quarterly Sum not exceeding	0	3	6
If let by the Week, any weekly Sum not exceeding	0	0	6
If otherwise let or occupied, for every Market Day or other lawful Day any daily Sum not exceeding	0	0	3

STANDS

The Dalkey Township Act, 1867.

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 Square Foot thereof:

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

SCHEDULE B.

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	1	0
For every Cart used by any Person for the like Purpose, for every Market Day or other lawful Day, if drawn by One Horse or other Animal, any Sum not exceeding	0	1	0
If drawn by Two or more Horses or other Animals, any Sum not exceeding	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 any daily Sum not exceeding	0	0	2

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SCHEDULE C.

FAIR TOLLS.

	£	s.	d.
For every Bull, Ox, Cow, or Heifer, sold in Fair Green any Sum not exceeding - - - - -	0	0	3
For every Horse, Mare, or Gelding, ditto - - - - -	0	0	6
For every Mule or Ass, ditto - - - - -	0	0	3
For every Sheep, Lamb, or Goat, ditto - - - - -	0	0	1
For every Hog or Pig - - - - -	0	0	1
For the Use of a Pen for Sheep, whether sold or not, each Sheep, ditto - - - - -	0	0	0½
For Space for Stands, Cars, Drays, Show Boxes for Sale of Articles, Space not exceeding Six Feet, ditto - - - - -	0	0	4
Any extra Space per Foot, ditto - - - - -	0	0	1
For every Booth, if not above Thirty Feet square, ditto - - - - -	0	2	0
For every Cart or Dray in which anything is sold or offered for Sale, per Day, ditto - - - - -	0	1	0
For every Truck, Barrow, or other small Vehicle, per Day, ditto - - - - -	0	0	3
For the Use of any Booth or Stall that may be erected in the Fair Grounds, not exceeding Six Feet Frontage, per Day or Part of a Day, ditto - - - - -	0	1	0
For every Hawker or Pedlar or other Person selling or offering or exposing for Sale any Article whatever within the Fair Green, by Hand or otherwise, per Day or Fraction of a Day, ditto - - - - -	0	1	0

SCHEDULE D.

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 Hundredweight - - - - -	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.

	£	s.	d.
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

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SCHEDULE E.

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 4

SCHEDULE F.

SLAUGHTER-HOUSE TOLLS.

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

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