



ANNO QUARTO & QUINTO

# GULIELMI IV. REGIS.

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## Cap. lxxxiv.

An Act to amend an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Erection of a Bridge across the River Shannon, and of a Floating Dock to accommodate Sharp Vessels frequenting the Port of Limerick.* [25th July 1834.]

**W**HEREAS by an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Erection of a Bridge across the River Shannon, and of a Floating Dock to accommodate Sharp Vessels frequenting the Port of Limerick,* certain Persons therein named and their Successors, to be elected in manner by the said Act provided, were appointed Commissioners for the Purpose of carrying the said Act into execution, and were incorporated by the Name of "The *Limerick Bridge* Commissioners:" And whereas the said *Limerick Bridge* Commissioners have proceeded in execution of the said Act: And whereas the Import and Export Trade of *Limerick* has greatly increased, and the Number of Vessels trading thereto has doubled since the passing of the said Act, and the Quayage and other Accommodation is become totally inadequate to the Trade of the said Port: And whereas the Public Revenue arising in the said Port has considerably increased within the last Nine Years, and the Custom Duties alone received in the said Port in the last Year exceeds by a large Amount the Receipt of the previous Year; and it would tend to increase the said Revenue and promote the Trade of the said Port if further Powers were

4 G. 4. c. 94.

[Local.]

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granted

granted for the additional Improvement of the same, and the better and more ample Accommodation of Shipping therein: And whereas the Money heretofore expended upon the Works has been almost altogether employed in the Erection of the Bridge and Communication across the River, or in Buildings connected therewith, and the Shipping have as yet received no Advantage from these Works, whilst the Trade and Shipping have been subjected to very heavy Rates and Duties which were imposed under the former Act in consideration of the Benefit which the Shipping Trade would derive from the Completion of a Floating Dock: And whereas it is expedient to make Provision for the Election of Commissioners to carry the said recited Act and this Act into execution by the Merchants and others interested in the Trade of the said Port of *Limerick*; but the same cannot be effected without the Aid and Authority of Parliament: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor of *Limerick*, the President of the Chamber of Commerce of *Limerick*, and One of the Commissioners of the Parish of *Saint Michael*, all for the Time being, shall, together with the several Persons named in the said recited Act, or appointed thereunder, or who may be appointed under this Act, be and they are hereby appointed Commissioners for the Execution of the said Act and of this Act, and shall be and become Members of the said Corporation of *Limerick Bridge Commissioners* by the said Act created.

Commis-  
sioners  
appointed.

No new Elec-  
tion of Com-  
missioners to  
be made as  
directed by  
recited Act.

II. And be it further enacted, That whenever after the passing of this Act any Vacancy shall happen among the Commissioners named in the said recited Act, or heretofore appointed by virtue of the Power therein for that Purpose provided, no new Election or Appointment of a Commissioner to supply such Vacancy shall be made by the Commissioners for the Time being, as by the said Act authorized and directed.

Election of  
Commis-  
sioners.

III. And be it further enacted, That on the Twenty-ninth Day of *September* next after the passing of this Act a Meeting (of which and of the Purpose whereof the said Commissioners for the Time being shall cause to be given at least Ten Days previous Notice by Advertisement in some Newspaper circulating within the said City of *Limerick*) shall be held for the Purpose of electing Fifteen Persons to act together with the surviving or remaining Commissioners, (so long as any of the said Commissioners named in the said Act, or appointed thereunder, shall be surviving or remaining,) and the said *ex officio* Commissioners, in the Execution of this and of the said recited Act; and at such Meeting the Persons, qualified in manner herein-after mentioned, present thereat, shall elect Fifteen Persons who have been residing in the City or Liberties of *Limerick* for Six Months previous to the Day of Election to be such Commissioners, and the Persons so elected shall thereupon be and become Members of the said Corporation of the *Limerick Bridge Commissioners*, and so continue until the Twenty-ninth Day of *September* which will be in the Year One thousand eight hundred and thirty-six, or until new Commissioners shall be appointed in their Stead, and shall then go out of Office; and instead of the Persons so going out of Office there shall be in like Manner elected, on the said Twenty-ninth Day of *September* One thousand eight hundred and thirty-six, Fifteen other Persons, resident as aforesaid,

aforesaid, to be Commissioners for the Two Years next succeeding; and they shall in like Manner go out of Office at the Completion of such Period, and be replaced by other Persons in like Manner elected, and so on for ever, there being an Election of Fifteen new Commissioners on the Twenty-ninth Day of *September* in each and every Second Year: Provided always, that at any such Election any Person ceasing to be a Commissioner shall be eligible to be re-elected a Commissioner, any thing herein contained to the contrary notwithstanding: And provided further, that whenever the said Twenty-ninth Day of *September* shall happen to be a *Sunday*, then and in such Case such Election shall take place on the *Monday* next following.

IV. And be it further enacted, That no Person shall be capable of voting in the Election of Commissioners under this Act unless he shall have been resident in the City or County of the City of *Limerick* for Six Months previous to the Day of Election, and shall have paid in either the Tonnage, Export, or Import Rates or Duties authorized by this Act or by the said recited Act of the said Fourth Year of the Reign of His late Majesty King *George* the Fourth, within One Year previous to the Day of Election, the Sum of One Pound at the least; and every Inhabitant of the said City or County of the said City, having paid such Sum as aforesaid, shall be entitled to vote in the Election of Commissioners.

No Person to vote except a Resident who has paid Rates to the Amount of One Pound per Annum.

V. Provided always, and be it enacted, That if any Person so to be elected a Commissioner under this Act shall die, or otherwise cease to be a Commissioner, before the Expiration of the Time for which such Person may have been elected, it shall and may be lawful for the Persons qualified as aforesaid, within One Month after such Vacancy shall occur, to elect (of the Time of which Election Ten Days previous Notice shall be given as aforesaid) some Person to be a Commissioner in the Room and Stead of the Person so dying or ceasing to be a Commissioner for the Residue of the Term for which the Person so dying or ceasing to be a Commissioner may have been elected, and such Person so elected shall occupy the Place of the Person who may have so died or ceased to be a Commissioner for the Residue of the Term for which such last-mentioned Person may have been elected.

In case of Death of Commissioner, Vacancy to be filled.

VI. And be it further enacted, That in any Election of a Commissioner to be had as aforesaid not more than Three Persons belonging to any Copartnership Company or Joint Stock Concern shall be entitled to vote at any Election on account of Payment of the said Rates and Dues by the said Copartnership Company or Joint Stock Concern.

Three Persons only to vote in respect of Copartnership.

VII. And be it further enacted, That of the said Fifteen Commissioners so to be from Time to Time elected as aforesaid Seven Persons thereof at least shall have paid in the Tonnage, Export, or Import Duties authorized by this Act or by the said recited Act of the Fourth Year of the Reign of His said late Majesty King *George* the Fourth, within One Year previous to the Day of Election, the Sum of Five Pounds at the least.

Seven of the Commissioners to have paid Rates to the Amount of 5*l.* within One Year previous to Election.

VIII. And be it further enacted, That the Collector of the said Tonnage, Export, and Import Rates and Duties shall, on the first *Monday* after the

Collector to post annually List of Rate-

payers to the Amount of One Pound and upwards.

the First Day of *September* in every Year make out a List in Writing of all Persons who have paid to the Amount of One Pound and upwards, with the Amount which each has respectively paid of the said Tonnage, Export, and Import Rates and Duties, for One Year previous to the said First Day of *September*, and shall post one Copy of said List in the said Bridge Commissioners Rooms, and another Copy thereof in the Office of said Collector, and which List every Inhabitant of the said City and County of the said City of *Limerick* shall, from the Hours of Ten o'Clock in the Morning until Five o'Clock in the Afternoon of said Day, have Liberty to inspect and take Extracts therefrom.

Comissioners to lay out new Works, &c.

Quays on South Side of River to be first built.

IX. And be it further enacted, That it shall and may be lawful for the said Commissioners and their Successors to construct the several Works requisite for the Improvement of the Port of *Limerick*, agreeably to the Plans and Secions deposited in the Private Bill Office in the House of Commons, and in the Parliament Office at *Westminster*, and in the Office of the Clerk of the Peace in the said City of *Limerick*, or as near thereto as Circumstances will permit: Provided always, that so much of the said Works as consists of the Quays on the South Side of the said River *Shannon*, and the Sewers in the said Quays, shall be first commenced and completed before any other Part of the Works are proceeded with; and that before any other Part of the Works shall be commenced, and within One Year after the Completion of such Quays and Sewers as aforesaid, the Port and Harbour of *Limerick* shall be again examined by Two (at the least) of the most eminent Civil Engineers, and their Opinions and Report had thereon, and that the Sewers will be sufficient to secure the ample Drainage of the Town of *Limerick*, and that the free Passage of all Vessels to and from the Quays of the said City will not be interrupted or interfered with during the Progress of the said Works or when the same are completed; and that the Formation of the said Docks shall not be proceeded with until the forming of the same is approved of by a Meeting of the Persons who have paid to the Amount of One Pound at least of the Rates and Duties under the said recited Act and this Act, within One Year previous to the Day of Meeting for such Approval, duly summoned by public Advertisement at least Ten Days previous to such Meeting: And provided also, that the Plans for the said Works shall be subject to the Approbation of the Commissioners acting under and in execution of an Act passed in the First and Second Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*.

1 & 2 W. 4. c. 33.

Powers of the recited Act declared effectual for the Purposes of the present Act.

X. And be it further enacted, That all and every the Powers and Provisions contained in the said recited Act of the Fourth Year of the Reign of His late Majesty shall be good, valid, and effectual to and for the Purposes of this Act and to carry the same into effect, and shall be applied and extended thereto, and to all Tolls, Rates, and Duties made payable by this Act, as fully and particularly as if herein specifically contained; and that nothing in this Act contained shall be deemed or construed to repeal any of the Provisions of the said recited Act, save as herein specifically provided and enacted, or as may be necessary for the complete and effectual Execution of the Purposes of this Act and the said recited Act.

XI. And

XI. And be it further enacted, That it shall be lawful for the said Bridge Commissioners to apply to the Commissioners for carrying into execution the said Act passed in the First and Second Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*, for the Loan of any Sum or Sums of Money as the said Bridge Commissioners shall think fit to borrow, not exceeding the Sum of Two hundred thousand Pounds; and that it shall be lawful for the said Commissioners, and they are hereby authorized and required, to advance to the said Bridge Commissioners so much thereof as the said Commissioners, with the Approbation of the Lords Commissioners of the Treasury, shall think fit to lend for the Purposes of this Act upon the Credit or Security of the Tolls, Rates, and Duties to be levied, collected, and raised, and to be payable to the said Bridge Commissioners by virtue of this Act, and at such Rate of Interest as the Lords Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain and Ireland* shall approve of, and to advance such Sum although the Tolls, Rates, and Duties are not at the Time of such Loan of sufficient Amount for the Repayment of the Sum to be so advanced by Instalments in the Manner mentioned in the said Act under which the said Commissioners act, and although the actual or expected Receipt or Produce of the said Works shall not be proved to the Satisfaction of the said Commissioners to be adequate to the Discharge of the Sum to be so advanced by Instalments within the Period of Twenty Years from the Date of the said Advance, together with the Interest reserved and made payable on such Advance.

Commissioners of Public Works may advance Money for the Completion of the Works.

XII. And whereas it was by the said recited Act provided, that no Messuages, Lands, Tenements, Grounds, or Hereditaments should be purchased or taken by the Commissioners for the Execution of the said Act without or against the Consent of the Person or Persons, or Body or Bodies Politic or Corporate, being the Owner thereof, or any Person having a Right, Title, or Interest therein, or entitled to convey the same, other than the Messuages, Lands, Tenements, Grounds, and Hereditaments mentioned, specified, and set forth in the Schedule (marked A.) annexed to the said Act: And whereas it is necessary, for the more complete and effectual Execution of the Purposes of this Act and the said recited Act, that the Exception in the said herein-before recited Provision contained should be made more extensive; be it therefore enacted, That it shall and may be lawful for the Commissioners acting under and in execution of the said recited Act and this Act to purchase and take, for the Purposes of the said Act and of this Act, the Messuages, Lands, Tenements, Grounds, and Hereditaments, or any of them, mentioned and specified in the Schedule (marked A.) to this Act annexed, without or against the Consent of the Owners thereof, or Persons having any Right, Title, or Interest therein, in like Manner to all Intents and Purposes as they are authorized to purchase and take, without or against such Consent as aforesaid, any of the said Messuages, Lands, Tenements, Grounds, and Hereditaments mentioned and specified in the said Schedule to the said recited Act annexed; and for that Purpose to use and exercise all such and the like Powers and Authorities as by the said recited Act are provided in respect of the Messuages, Lands, Tenements, Grounds, and Hereditaments mentioned and specified in the said Schedule to the said recited Act annexed: Provided always, that if, from and after the

Power to purchase Lands.

Expiration of Three Years from the passing of this Act, any of the Messuages, Lands, Tenements, Grounds, and Hereditaments which the said Commissioners are hereby empowered to purchase as aforesaid shall not have been agreed to be purchased by the said Commissioners, or shall not have been valued, and the Amount of such Valuation paid or lodged in the Court of Chancery in manner directed in the said recited Act, then, from and after the Expiration of the said Period of Three Years, the Owners of any of the said Messuages, Lands, Tenements, Grounds, and Hereditaments which shall not have been agreed to be purchased, or have been valued and paid for as aforesaid, shall not be compelled or compellable to sell the same under any of the Powers herein-before contained or referred to.

Juries to ascertain consequential Damages.

XIII. And be it further enacted, That all Persons who shall suffer any Damage in consequence of the said Works shall be entitled to Compensation, and that the Juries empannelled in pursuance of the said recited Act are hereby empowered to ascertain and value any consequential Damage which may arise from the Erection of such Works.

River to be surveyed before the Quays or Weir are commenced.

XIV. And whereas from the Erection of the new Weir Injury may arise to the *Corbally Lock Mills, Curragowan* and *Golden Mills*, and it is desirable that the Damages (if any) which may be occasioned thereby should be ascertained before such Work is commenced; be it therefore enacted, That within Four Months after the passing of this Act, and before the erecting of the said Quays or Weir be commenced, the River shall be surveyed for the Purpose of ascertaining the Height and Levels of the Water, and such Injury as may thereby or otherwise be occasioned to the said Mills, and that therefore a Jury shall be empannelled to ascertain the Damage to which the Proprietors of the said Mills shall be entitled, which Damage shall be actually paid or lodged in Court previous to the said Weir being commenced, and beyond which Height or Level the Water shall not on any Account or Pretence be afterwards raised.

Appeal to Judge of Assize.

XV. And be it further enacted, That in case any Person whatever shall be dissatisfied with the Sum awarded for such Premises so to be valued, or such consequential Damages, it shall be lawful for such Person, within One Month after the Finding of such Jury, to lodge an Appeal to the next going Judge of Assize for the City of *Limerick*, who is hereby empowered to direct the empannelling of a Jury to try the same, and to award the Costs of such Appeal to either Party as he shall think proper: Provided always, that in case the Amount of any such Valuation should be lodged in the Court of Chancery pursuant to Provisions of the said recited Act, the Lord Chancellor is hereby empowered to award such Costs to either Party as he shall think proper.

Lord Chancellor to award Costs when Money lodged in Court.

Power to sell Parcels of Land not wanted.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners and their Successors to sell and dispose of all such Parts of the Lands purchased by them, and all Mill Scites which may be thereon, as may not be necessary for the Purposes of this Act.

In case Valuation not paid within Six Months,

XVII. And be it further enacted, That in case the said Commissioners shall not pay to the Proprietors of any Ground or Premises which may be valued under the Provisions of this Act the Amount of such Valuation,

or

or lodge the same in the Court of Chancery, as directed by the said recited Act, within Six Months after such Valuation had, that then and in such Case it shall and may be lawful for the said Proprietors to take Proceedings at Law against the said Commissioners for the Amount of such Valuation.

Proprietors may proceed at Law for the Amount.

XVIII. And be it further enacted, That in case any Footway or Bridge shall be made across the said Weir it shall and may be lawful to and for the Commissioners for the Execution of the said recited Act and this Act, and they are hereby authorized and empowered, to take and receive, or cause to be taken and received, before any Passage over the said Footway or Bridge shall be permitted, Toll or Tolls equal in Amount with the Tolls chargeable on *Wellesley Bridge* under the said recited Act, such Tolls to continue to be received so long as Tolls shall be payable on *Wellesley Bridge*; and that for the Recovery of such Tolls the Commissioners shall have the like Powers and shall take the like Proceedings as are by the said recited Act prescribed for the Recovery of Tolls on the *Wellesley Bridge*.

If a Bridge is made across the Weir, the same Tolls to be taken as on *Wellesley Bridge*.

XIX. And be it further enacted, That from and immediately after the private Quayage on the South Side of the said River *Shannon*, extending from the Custom House Quay to the lower End of *Kelly's Quay*, shall have been purchased for the Purposes of this Act, all Quayage now payable thereon, and all other Quayage, Tonnage, Rateage, Harbour and other Dues and Fees, payable by Vessels frequenting the Port of *Limerick*, under and by virtue of the said recited Act, or otherwise howsoever, (save and except the Duties payable to His Majesty, His Heirs and Successors, on account of the Public Revenue,) shall cease and determine; and that from and after the Day on which the said private Quays shall become the Property of the said Commissioners there shall be paid and levied, in the lieu and stead of the said Rates and Dues so to cease as aforesaid, the several Rates and Dues specified in the Schedule (marked B.) to this Act annexed, or such smaller Sums on account of such Rates and Dues as the said *Limerick Bridge* Commissioners shall from Time to Time fix and appoint; and such Rates and Dues so to be payable as aforesaid shall be paid to the said *Limerick Bridge* Commissioners, or to such Persons and in such Manner as they shall direct, and shall be by them applied in and towards the Purposes of this Act and the said recited Act of the Fourth Year of the Reign of His late Majesty, and to no other Purpose whatsoever; and such Rates and Dues shall and may be recovered by all such Ways and Means as it was by the said recited Act provided that the Rates and Dues payable thereunder should or might be recovered: Provided always, that until such Quays shall be purchased and paid for, or the Money lodged in Court by the Commissioners, the present Owners thereof respectively shall be entitled to receive such Quayage as they are now entitled to receive.

All Tolls, Rates, Quayage, &c. to cease, and Commissioners to receive Rates and Duties as in Schedule (B.)

XX. And be it further enacted, That in case any Person or Persons shall be by the said Works, or by the Abolition of Tolls and Dues, deprived of any Fees or other Charges to which he or they is or are now legally entitled, he or they shall be entitled to Compensation for such Loss, to be awarded by a Jury in manner aforesaid.

Compensation for Loss of Dues, &c.

XXI. And be it further enacted, That it shall and may be lawful for the said Commissioners from Time to Time to borrow and take up at Interest,

Power to raise Money. for

for the Purposes of this Act and the said recited Act, any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred thousand Pounds, over and above any Sum authorized to be borrowed under the said recited Act, and for that Purpose to have, use, and exercise all and every the Powers by Mortgage, or the Grant of Annuities or otherwise, by the said recited Act provided for the raising of the Money authorized to be raised thereunder; and out of any Money so to be borrowed under Authority of this Act, if they shall so think fit, the said Commissioners shall pay off and discharge whatever Sum shall appear due on Two Loans made to the said Commissioners now outstanding and due, or which may hereafter become due to the Commissioners acting under and in execution of an Act passed in the First and Second Years of the Reign of His present Majesty King *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in Ireland*.

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Duties to be paid in the present Currency.

A Duty of 3d. per Ton to be imposed on all imported Coals.

XXII. And be it further enacted, That from and after the Day on which the said intended Docks shall be opened for the Reception of Vessels, the Import and Export Duties mentioned in the Schedule (C.) to the said Act of the Fourth Year of the Reign of His late Majesty King *George* the Fourth shall be payable and receivable in the present Currency; and from the Day on which the said Quays shall be purchased as aforesaid a Duty of Three-pence *per* Ton shall be imposed on all Coals imported into the City or County of the City of *Limerick*.

Power to clear the Navigation of the Shannon.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to remove, blast, and clear away any Rocks or Shoals which obstruct the Navigation of the said River *Shannon* below the City of *Limerick*, and also to erect Buoys or Beacons on the Rocks or Shoals in the said River *Shannon*.

The Commissioners empowered to keep such Parts of the Walls and Quays of the Shannon in repair as herein mentioned.

XXIV. And whereas the Walls and Quays on the Sides of the said River *Shannon* within the said Port and Harbour of *Limerick* are subject to frequent Damage and Injury, and are often in a dangerous and ruinous Condition, and it is necessary to make Provision for preventing such Damage and Injury, and for keeping such Quays and Walls in proper and sufficient Repair; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time as they shall think proper, and in such Manner as they shall find expedient, to repair and amend the said Walls and Quays on either Side of the said River, and by such Ways and Means as they shall find necessary to render the same convenient for the Shipping that shall come between the said Walls.

Provisions of the recited Act for the Prevention of Nuisances extended to the said Quays and Walls.

XXV. And be it further enacted, That all and every the Provisions made by the said recited Act of the Fourth Year of the Reign of His late Majesty for the preventing Injury, Damage, and Nuisances to the said Bridge and Docks, or any Work or Thing by the said Act authorized to be made, set up, or erected thereon, shall apply and extend to the said Quays and Walls, and all Works or Things to be made, set up, or erected thereon under Authority of this Act, so far as such Provisions are applicable; and that any Person doing any Damage or Injury or committing any Nuisance to or upon the said Quays and Walls, or any Work or Thing done or erected thereon by the Authority aforesaid, shall be liable to the like Penalty, and to be dealt with in the like Manner as by the



the said Act provided in respect of the like Damage, Injury, or Nuisance to the said Bridge or Docks, or the Works or Erections thereupon; and all Penalties incurred in any Manner whatsoever under this Act shall and may be recovered and applied in like Manner as by the said Act provided in respect of Penalties incurred thereunder, save where a different Remedy or Application shall be appointed by this Act.

XXVI. And whereas Injuries to the said Bridge, Docks, Quays, and Walls are in general committed, either by Ships or Vessels, Lighters, Boats, Rafts, or Pieces of Timber, or by Cars, Carts, Horses, Carriages, or Vehicles passing the same, and by reason of their going or passing from and not remaining in the Place where such Injury is done the Owners or Managers thereof may not afterwards be found, and may therefore frequently escape Detection and Punishment if some summary Mode of proceeding against them be not provided by this Act; be it therefore enacted, That if any Person or Persons shall in any Manner injure or damage the said Bridge, Docks, Quays, or Walls, or any Posts, Rings, or other Works or Things erected thereon, in the Sight or Presence of any of the said Commissioners, or of any Officer acting under their Authority, or of any Officer of His Majesty's Revenue of Customs or Excise, it shall and may be lawful for such Commissioner or Officer to seize and detain such Ship, Vessel, Lighter, Gabbard, Boat, Raft, Cart, Car, Horse, Carriage, or Vehicle, and forthwith to make Complaint to the Mayor or any Justice of the Peace acting in and for the said City or County of the said City of *Limerick*, and the Ship or other Thing so seized and detained shall be held and remain liable to discharge and satisfy any Penalty or Fine which shall be adjudged to be payable under this Act in respect of such Damage or Injury.

For preventing Injuries to the Bridge, Docks, &c.

XXVII. And in case any Damage, Injury, or other Offence against the Provisions of this Act shall be committed, or any Fine or Penalty be incurred, or Default made in the Payment of any Rates or Dues due or payable for or by any Ship or Ships, Vessel or Vessels, whose Departure from the said Coast or Harbour may be apprehended, be it enacted, That it shall and may be lawful for the said Mayor or any such Justice, upon Complaint made to him upon Oath by any of the said Commissioners or Officer acting under their Authority, stating such Offence and the Likelihood of such Departure, if he shall think necessary, to issue a Warrant or Warrants to any Officer of His Majesty's Revenue whose Duty it is to attend Ships or Vessels upon their Arrival or Departure to and from the Port or Harbour of *Limerick*, and such Officer shall upon and by virtue of such Warrant have Authority, and is hereby authorized and empowered, to make Stay of the said Ship or Vessel, and the same to prevent from sailing out of the said Port or Harbour until the Master or Commander thereof shall produce a satisfactory Certificate or Discharge from the said Commissioners or their proper Officer, either that such Ship or Vessel hath been acquitted of such Offence, or hath paid or satisfied all Rates or Dues, and, if convicted, all Fines and Penalties, which may be adjudged to be payable under the Authority of this Act.

Ships, &c. may be detained until Satisfaction or Payment made for Damage done or Fine incurred.

XXVIII. And whereas it is just and proper that when any Damage or Injury shall be done as aforesaid to the said Bridge, Docks, Quays, or Walls

Power to compel any Person da-

maging the said Bridge, Docks, &c. to pay the Expence of repairing the same.

Walls of the said River, that the same should be repaired by the Person or Persons who may have committed the same; be it enacted, That when any Damage shall have been done to the said Bridge or Docks, or any of the Quays or Walls of the said River aforesaid, or any Works authorized by this Act, and that any Person or Persons shall be convicted of committing the same, it shall and may be lawful for the said Commissioners to appoint One or more Master Mason or Masons to view the said Damage or Injury, and such Master Mason or Masons shall make an Estimate of the Sum of Money which it will cost effectually to repair such Damage or Injury, and shall verify the same upon Oath to the best of his or their Skill and Ability, and thereupon it shall and may be lawful for the said Commissioners to demand from the said Person or Persons so convicted as aforesaid such Sum of Money so reported to be requisite as aforesaid to repair such Damage or Injury, and in case the same shall not be immediately paid, then to make Complaint to the said Mayor or any such Justice as aforesaid, and such Mayor or Justice shall summon the Person or Persons so offending to appear before him, and thereupon make such Order as to him shall seem just, and in default of Compliance therewith shall and may enforce the same by all the Ways and Means appointed to enforce Payment of any Penalty incurred under this Act or the said recited Act; and the Money by such Means recovered shall be paid to the said Commissioners.

Penalty for casting Ashes, &c. into the Docks or River, or any Sewer emptying itself therein within the said City.

XXIX. And be it enacted, That every Person who shall cast any Ashes, Dirt, Filth, or Rubbish into the said Docks or River, or into any Sewer or Stream emptying itself therein within the said City or Liberties thereunto adjoining, shall forfeit for every such Offence a Sum not exceeding Five Shillings, and in default of Payment, and in case no sufficient Distress can be had, the Person convicted of such Offence shall be committed to the House of Correction to be kept to hard Labour for any Period not exceeding Five Days.

Penalty upon Scavengers whose Servants shall throw any Dirt into the Docks or River.

XXX. And whereas it is necessary and reasonable that Scavengers and Contractors for cleansing the Streets of the said City should be made responsible for Nuisances committed by Persons acting under their Direction or in their Employment; be it therefore enacted, That if any Person in the Service of or employed by or acting under any Scavenger or Scavengers, or other Contractor or Contractors for cleansing the Streets, Lanes, and Squares of *Limerick*, or any of them, or any Place in the said City, shall after the passing of this Act throw, sweep, or put into the said Docks or River *Shannon* any Dirt, Rubbish, Filth, or other Matter or Thing swept or taken from any Street, Lane, Passage, or Place in the said City, the Scavenger or Scavengers, Contractor or Contractors, in whose Service or under whom such Person shall act or be employed as aforesaid, shall, upon the Conviction of any such Persons so serving, acting, or employed as aforesaid of such Offence, forfeit and pay for every such Offence committed by such Person acting or employed under such Scavenger or Scavengers, or other Contractor or Contractors as aforesaid, a Sum not exceeding Ten Shillings, and which Fine shall be so paid, over and besides any Fine to which the Person actually committing and convicted of such Offence shall be individually liable under the Provision herein-before contained.

XXXI. And

XXXI. And be it enacted, That if the Master or Commander of any Ship or Vessel which shall cast Anchor within the said Harbour shall not immediately on so doing tie or fasten, or cause to be tied or fastened, a Buoy to such Anchor, in such Manner as that the said Buoy shall float in a conspicuous Manner, so as that it may be plainly and easily seen in what Place such Anchor has been cast, such Master or Commander shall for every such Offence or Neglect forfeit and pay a Sum not exceeding Two Pounds, together with the further Sum of Five Shillings for every Hour such Anchor shall so remain without such Buoy being tied or fastened thereto as aforesaid: Provided always, that the Infliction of any such Penalty shall not in any Manner affect or prejudice any Remedy which any Person or Persons shall or may have by Action or otherwise against such Master or Commander for any Damage or Injury which may be done to such Person or Persons by means of such Neglect as aforesaid.

Penalty upon the Master of any Ship who shall not upon casting Anchor fasten a Buoy to such Anchor.

XXXII. And whereas the Navigation of the River *Shannon* is frequently obstructed by Vessels, Lighters, and Gabbards being permitted by their Masters and Commanders to lie across the Channel of the said River, and by the Ropes or Hawsers of Vessels, Lighters, and Gabbards being permitted by their Masters and Commanders to remain extended across or in the Channel of the said River; for Remedy whereof be it enacted, That in case any Vessel or Lighter or Gabbard shall lie across the Channel of the said River at any one Time for the Space of One Hour or more, or the Rope or Hawser of any Vessel, Lighter, or Gabbard which shall be extended across or in the said River as aforesaid shall not be lowered immediately upon the same being required to be so lowered by any Person on board any other Vessel navigating the said River, so as to allow the free passing of such other Vessel, the Master or Masters, Commander or Commanders of every such Vessel, Lighter, or Gabbard which shall have so lain across the said River, and of every such Vessel, Lighter, or Gabbard as shall have the Rope or Hawser thereof extended as aforesaid, and shall not lower the same as aforesaid on being required so to do as aforesaid, shall forfeit such Sum, not less than Ten Shillings nor more than Five Pounds, as shall be adjudged by the Mayor or Justices before whom such Master or Masters, Commander or Commanders, shall be convicted of such Offence.

Penalty upon Commanders of Vessels lying across Channel of the River, or keeping their Hawsers extended.

XXXIII. And whereas great Inconveniences have arisen by Timber, Stones, and other Goods and Matters being suffered to remain on the Quay Wall on each Side of the said River *Shannon* after being landed thereon from Vessels arriving within the said Harbour, whereby the discharging and landing of Goods, and mooring of Vessels to the Posts placed on the said Quays for that Purpose, and Access to Ships lying in said River, and the Passages of Carriages and Persons upon the said Quays and Quay Walls, are much obstructed, and the Bed of the said River is damaged and obstructed by the falling in of Stones and other loose Matters laid upon the said Quays and Quay Walls; for Remedy thereof be it enacted, That if any Stones, Building Stones, or Sand which shall be landed out of any Ship or Vessel shall be suffered by the Owner or Owners, Proprietor or Proprietors thereof, to remain longer on any of the said Quays or Quay Walls than Twenty-four Hours next after landing the same, or if any Timber or other Goods or Matters whatsoever which shall

Penalty upon Persons leaving any Stones, Timber, or other Things upon the Quays or Quay Walls longer than a certain Time.

shall be landed as aforesaid shall be so suffered to remain on any of the Quays longer than Seventy-two Hours after landing the same, or if any Timber or other Goods or Matters whatsoever which shall be landed out of any Ship or Vessel upon the said Quays or Quay Walls, or any of them, shall be suffered by the Owner or Owners, Proprietor or Proprietors thereof, to remain upon the said Quay Walls or any of them for a longer Space than Seventy-two Hours next after the landing thereof, or shall be so placed upon the said Quay or Quay Walls as to project therefrom over the said River, or shall be in any Manner so placed upon the said Quay or Quay Walls so as not to leave full and sufficient Room between the said Posts for free Access to the River, or if any Stones or Sand of any Kind whatsoever, or other loose Matter which may be likely to fall into the said River, shall be laid upon any of the said Quays or Quay Walls, or the Slips or Avenues communicating therewith nearer than Three Feet to the Water's Edge thereof, the Owner or Owners of such Stones or other Goods and Matters as shall be so laid or placed or suffered to remain on any of the said Quays or Quay Walls as aforesaid, and the Owner or Owners of such Stones, Sand, or other loose Matters as shall be so as aforesaid laid thereon, as the Case shall happen to be, shall forfeit and pay for every such Offence such Sum, not exceeding Five Pounds, as shall be adjudged by the Mayor or Justice before whom the Offender shall be convicted.

Commissioners in certain Cases may remove Goods, and sell a Portion of them to pay the Fine and Expences, or may make use of them in the Improvement of the Port.

XXXIV. And be it enacted, That in case the said Owner or Owners cannot be met with, or shall neglect when thereto required to remove such Timber, Stones, or other Matters, it shall and may be lawful to and for the said Commissioners to cause any Timber, Stones, and other Matters which shall be laid or placed or remain on the said Quays contrary to the Provisions of this Act to be removed from off such Quays or Quay Walls, and to sell by public Cant so much of the said Timber, Stones, or other Goods or Matters as will be sufficient to pay the Expence of such Removal, and the further Sum of Five Pounds, or to make use of and apply any Lime, Stones, Building Blocks, or Stones or Sand, which may be so laid or placed or suffered to remain on the said Quays or Quay Walls aforesaid, in the erecting or finishing any Work which may be carried on by the said Commissioners for the Improvement of the said Port or Harbour of *Limerick*, at the Election of the said Commissioners.

Commissioners may compel an early Removal of Goods from the Quays.

XXXV. Provided always, and be it enacted, That if the said Commissioners shall at any Time find it necessary to remove any such Timber, Stones, or other Matters aforesaid from off the said Quays or Quay Walls, at any Time before the Expiration of Seventy-two Hours from the landing thereof, for the Purpose of enabling any other Ship or Vessel to discharge and land her Cargo thereon, it shall and may be lawful for the said Commissioners or any Officer acting under them, by any Writing to be signed by him or them, to order and direct the Owner or Owners, Proprietor or Proprietors of such Timber, Stones, or other Matters, to remove the same forthwith; and if such Owner or Owners, Proprietor or Proprietors, do not within Twenty-four Hours after receiving such Order or Notice remove such Timber, Stones, or other Goods or Matters from off the said Quays or Quay Walls, he or they shall forfeit at the Rate of not exceeding Two Pounds for every Twenty-four Hours such Timber, Stones, or other Goods and Matters shall be on such Quays or Quay Walls

Walls after such Twenty-four Hours from the Time of receiving such Notice or Order; and it shall also be lawful to and for the said Commissioners to cause such Timber, Stones, or other Goods and Matters to be removed, and to distrain and sell so much thereof as will be sufficient to pay such Fine and the Expence of such Removal, or, at their Election, to use and apply any such Lime, Stones, Building Stones, or Blocks, or Stones and Sand as aforesaid, in manner herein mentioned.

XXXVI. And be it further enacted, That all Penalties recovered under and by virtue of this Act or the said recited Act. shall, when levied, be paid to the Treasurer for the Time being of the City of *Limerick* Infirmary, and be applied by him for the Use of such Infirmary. Application of Penalties.

XXXVII. And be it enacted; That in case of any Dispute, Suit, or Litigation touching or in anywise relating to any Rates or Dues, or any Penalty, or other Matters or Thing, arising out of or in any Manner connected with the Provisions of this Act or the said recited Act, the Person or Persons appointed to collect such Rates or Dues, or any other Person or Persons acting under or by Authority of the said Commissioners, shall not by reason thereof be disqualified from giving Evidence in any such Dispute, Suit, or Litigation. In case of Disputes, Persons acting under the Act may give Evidence.

XXXVIII. And be it further enacted, That the Costs, Charges, and Expences of applying for and obtaining this Act shall be paid and defrayed out of the first Monies to be raised by virtue of the said recited Act or this Act. Costs of the Act.

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

SCHEDULE A. to which the foregoing Act refers.

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Strand from Thomond Bridge to the Custom House Quay; Merchant's Quay and Houses thereon; Long Dock and Golden Mills; Stone Island, Quay Lane, and Premises; Harvey's Houses; Stores and Yards on Custom House and Arthur's Quay.

Kean's Slips and Quays.

Vandeleur's Quay and Slip.

Steam Company's Quay, Slip, and Dock.

Walker's Quay, Store, and Yard.

Kelly's Quay, Yard, and Ground in front of Gas Works.

So much of the Field in the Possession of Denis Fitzgerald Mahony as shall be necessary for the Work.

Sir Harry's Mall.

Lock Quay.

Charlotte's Quay.

George's Quay.

North Strand and Quay from Thomond Bridge to House of Industry.

Curragower Mills.

Land on the North Strand through which a Road is intended to be made from Wellesley Bridge to the Mayor's Stone.

That Portion of North Strand from the Old Shelburne Road to the Strand opposite to the lower End of Kelly's Quay, and of the Field in the Possession of D. F. G. Mahony.

Francis Street.

Harvey's Quay.

Honan's Quay.

Brunswick Street.

Bedford Row.

Harvey's Quay.

Shannon Street.

Quay from Shannon Street to Lower Cecil Street.

Lower Cecil Street, and Quay and Strand from Lower Cecil Street to Russell's Quay.

Russell's Quay.

North Strand.

Bed of the River Shannon.

SCHEDULE B. to which this Act refers.

QUAYAGE DUES to be levied from the Day on which the private Quays shall be purchased and paid for, or the Money lodged in Court, until the Docks are completed.

	£	s.	d.
For and upon every Ton of the Admeasurement of every Vessel reporting at the Custom House of Limerick, from any Port in Great Britain, for every Voyage a Sum not exceeding	0	0	6
For and upon every Ton of the Admeasurement of every Vessel reporting at the Custom House of Limerick, arriving from any Port in Ireland, a Sum not exceeding	0	0	5
For and upon every Ton of the Admeasurement of every Vessel reporting at the Custom House of Limerick, arriving from any Port not in Great Britain or Ireland, a Sum not exceeding	0	0	7
For and upon every Ton of the Admeasurement of every Vessel lying at such Quays more than One Month, for every Fourteen Days beyond the first Month a Sum not exceeding	0	0	1
For and upon every Sand Cot discharging or loading at said Quays, a Sum not exceeding	0	0	6
For and upon every Boat, decked or open, not exceeding Thirty-five Tons Measurement, trading within the River Shannon and discharging at any of the Quays or into Vessels lying thereat, a Sum not exceeding	0	1	6
For and upon every Boat, decked or open, not exceeding Thirty-five Tons Measurement, trading within the River Shannon and loading at any of the Quays or from Vessels lying thereat, a Sum not exceeding	0	1	0
For and upon every Boat, decked or open, exceeding Thirty-five Tons Measurement, trading within the River Shannon, and discharging at any of the Quays or into any Vessels lying thereat, a Sum not exceeding	0	2	6
For and upon every Boat, decked or open, exceeding Thirty-five Tons Measurement, trading within the River Shannon, and loading at any of the Quays or from any Vessel lying thereat, a Sum not exceeding	0	2	0
For and upon every Steam Boat plying within the River Shannon, for each and every Voyage a Sum not exceeding	0	6	0

Dock

DOCK DUES to be levied, from the Time the Docks are completed, in lieu of the foregoing Quayage Rates, which are then to cease.

	£	s.	d.
For and upon every Ton of the Admeasurement of every Vessel reporting at the Custom House of Limerick, arriving from any Port in Great Britain or Ireland, a Sum not exceeding - - - - -	0	0	9
For each and every Ton of the Admeasurement of every Vessel reporting at the Custom House of Limerick, arriving from any Port not in Great Britain or Ireland, a Sum not exceeding - - - - -	0	1	3
For and upon every Ton of the Admeasurement of any Vessel lying in such Dock more than One Month, for each additional Month a Sum not exceeding - - - - -	0	0	2
For and upon every Sand Cot discharging or loading within the Floating Dock, a Sum not exceeding - - - - -	0	0	8
For and upon every Boat, decked or open, not exceeding Forty Tons Measurement, trading in the River Shannon, discharging in the said Floating Dock, a Sum not exceeding	0	2	0
For and upon every Boat, decked or open, not exceeding Forty Tons Measurement, trading in the River Shannon, loading in the said Floating Dock, a Sum not exceeding	0	1	6
For and upon every Boat exceeding Forty Tons Measurement, trading in the River Shannon, discharging in the said Floating Dock, a Sum not exceeding - - - - -	0	4	0
For and upon every Boat exceeding Forty Tons Measurement, trading in the River Shannon, loading in the Floating Dock, a Sum not exceeding - - - - -	0	2	6
For and upon all Pleasure Boats or other Boats of the Measurement of Five Tons or upwards, lying in the Docks, after the first Month, for each Month a Sum not exceeding	0	1	0
For and upon every Boat exceeding Forty Tons, passing through the Docks, and not loading or discharging, a Sum not exceeding - - - - -	0	2	0
For and upon every Boat not exceeding Forty Tons, passing through the Docks, and not loading or discharging, a Sum not exceeding - - - - -	0	1	0
For and upon every Steamer trading within the River Shannon, for each and every Voyage a Sum not exceeding - - - - -	0	8	0

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