

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. LXXII.

An Act for improving and completing the Harbour on the North Side of the Hill of *Howth* near *Dublin*, and rendering it a fit Situation for His Majesty's Packets. [9th *June* 1810.]

WHEREAS the rendering the Harbour on the North Side of the Hill of *Howth* near *Dublin* a fit Situation for His Majesty's Packets, is desirable for the regular and more speedy Conveyance of the Mails between *Dublin* and *Holyhead*, and facilitating the Intercourse of Passengers between *Great Britain* and *Ireland:* And whereas, by virtue of an Act made in the Forty-fifth Year of His present Majesty's Reign, for granting a certain Sum of Money towards improving the said Harbour, certain Persons were appointed and authorized by the Lord Lieutenant of *Ireland* for the Time being to apply the Sum granted towards improving the said Harbour, and rendering it a fit Situation for His Majesty's Packets; and it was by the said recited Act further enacted, that such Persons so appointed should have all such Powers and Authorities as are by Law given to or vested in the Corporation for preserving and improving the Port of *Dublin*, and which should be requisite and necessary for the carrying of the said recited Act into Execution; and that all Piers, Wharfs, Quays, and other Erections and Buildings which might be made under the Directions of the said Persons, and all Ground applied to such Purposes by them, should be vested in the said Corporation for preserving and repairing the Port of *Dublin:* And whereas it is expedient to provide for the due Application of whatever Sums may be granted or appropriated by Parliament for the Improvement or towards the completing of the said Harbour; and further, to provide for the making and executing the Roads, Quays, and Works necessary for the Completion and

Improvement of the ſaid Harbour; may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Perſons heretofore appointed by the Lord Lieutenant of *Ireland* for the Time being for the Purpoſe of carrying into Execution the herein-before recited Act of the Forty-fifth Year of His preſent Majeſty's Reign, and ſuch other Perſon or Perſons as ſhall or may from Time to Time be appointed or authorized by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, ſhall be and they are hereby appointed Commiſſioners for the Purpoſes of this Act: Provided always, that it ſhall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to revoke the Appointment of any ſuch Perſon or Perſons to be ſuch Commiſſioner or Commiſſioners, and from Time to Time to nominate and appoint ſuch other Perſon or Perſons to be a Commiſſioner or Commiſſioners as ſuch Lord Lieutenant or other Chief Governor or Governors for the Time being ſhall think fit.

Commiſſioners for executing this Act.

II. Provided always, and be it further enacted, That the ſaid Commiſſioners, and each of them, ſhall take and ſubſcribe the Oath following before he or they ſhall take upon him or themſelves the Execution of any of the Powers or Authorities hereby given, other than adminiſtering the ſaid Oath.

Commiſſioners to take and ſubſcribe an Oath.

'I *A. B.* do ſwear, That I will, without Favour or Affection, Hatred or 'Malice, truly and impartially, according to the beſt of my Skill and 'Judgement, execute and perform all and every the Powers, Authorities, 'and Duties of a Commiſſioner repoſed in me under and by virtue of an 'Act made in the Fiftieth Year of the Reign of His Majeſty King *George* 'the Third, intituled, [*here ſet forth the Title of this Act.*]

Which Oath any One of the ſaid Commiſſioners, or any Perſon named in any Appointment of Commiſſioners, is hereby authorized and required to adminiſter at the Firſt or any other Meeting to be held by virtue of this Act.

Commiſſioners may appoint Officers and make Contracts.

III. And be it further enacted, That it ſhall and may be lawful for the Commiſſioners for the Purpoſes of this Act for the Time being, or any Three of them, and they are hereby authorized and required from Time to Time to nominate and appoint by Writing under their Hands a Secretary, and One or more Clerk or Clerks, and alſo from Time to Time to employ ſuch Engineers, Surveyors, and other Officers, and ſuch Labourers and Workmen as the ſaid Commiſſioners ſhall think proper and expedient for the better carrying into Execution the Purpoſes of this Act; and it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered to contract and agree with any fit and proper Perſon or Perſons, Artificers, Workmen and others, for the making, doing, and preparing of all or any of the Roads and Works by this Act authorized or directed to be done and performed or any Part thereof, or for ſupplying any of the Materials for the ſame, which Contract ſhall be ſigned by the Perſon or Perſons contracting or agreeing to perform ſuch Works reſpectively, and alſo by Three or more of the ſaid Commiſſioners, or by the Secretary to the ſaid Commiſſioners authorized under the Hands of Three of the ſaid Commiſſion-

ers for that Purpoſe; and all Contracts which ſhall have been made or entered into at any Time before the paſſing of this Act, by or on Behalf or under the Authority of the Commiſſioners nominated and appointed in purſuance of the ſaid recited Act of the Forty-fifth Year, ſhall be and the ſame are hereby declared good, valid and effectual to all Intents and Purpoſes, and ſhall be carried into Effect in like Manner as Contracts to be made under the Authority of this preſent Act.

Commiſſioners may bring and defend Actions in the Name of their Secretary.

IV. And be it further enacted, That the ſaid Commiſſioners may ſue and be ſued in the Name of their Secretary for the Time being, and that all Actions, Suits, Proſecutions, Informations, Appeals, and other Proceedings whatſoever that may be neceſſary or expedient to be brought for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, to be had, taken, proſecuted, or defended by or againſt the ſaid Commiſſioners, ſhall be had, taken, proſecuted, or defended in the Name of their Secretary, and that no Action, Suit, Proſecution, Information, Appeal, or other Proceeding to be had, taken, proſecuted, or defended by or againſt the ſaid Commiſſioners in the Name of their Secretary, ſhall abate or be diſcontinued by the Death, Suſpenſion, or Removal of ſuch Secretary, or by any Act or Default of ſuch Secretary done or ſuffered, without the Conſent or Direction of the ſaid Commiſſioners, but that the Secretary to the ſaid Commiſſioners for the Time being ſhall be always deemed the Plaintiff, Proſecutor, Informant, Appellant, Defendant, or Reſpondent in any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceedings (as the Caſe may be), except in ſuch Action or Actions, Suit or Suits, as ſhall be proſecuted between the ſaid Commiſſioners and their Secretary for the Time being, in which Action or Suit any One of the ſaid Commiſſioners ſhall or may be Plaintiff or Defendant (as the Caſe may be): Provided always, that every ſuch Secretary in whoſe Name any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceeding ſhall be had, taken, proſecuted, or defended in purſuance of this or the ſaid recited Act, ſhall be fully reimburſed and paid out of the Monies applicable to the Purpoſes of this Act, all ſuch Coſts, Charges, Damages, and Expences as by the Events or in conſequence of any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceedings, he or they ſhall pay, bear, ſuſtain, expend, or be put unto or become chargeable with or liable for, or be fairly entitled to by reaſon of his or their being ſo made Plaintiff or Plaintiffs, Defendant, or Defendants, Informant or Informants, Appellant or Appellants, Reſpondent or Reſpondents, as aforeſaid, unleſs ſuch Action or Suit ſhall ariſe in conſequence of his own wilful Neglect or Default, or have been brought or commenced, or be defended, without the Order or Direction of the ſaid Commiſſioners.

Commiſſioners empowered to execute this Act.

V. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and empowered to proceed in the improving and completing of the ſaid Harbour, and in the making and completing a Road and Quay along the Beach and Shore of the ſaid Harbour weſtward of the Pier or Mole already in Part erected, and to make ſuch other Roads and Ways as they may think neceſſary for the Conveyance of Materials to the ſaid Works, and to make and maintain Reſervoirs for ſupplying with Water Shipping reſorting to the ſaid Harbour; and that for the Purpoſes of this Act, all Piers, Buildings, and Works whatſoever heretofore made, erected or built in the whole or in Part at any Time before the paſſing of this Act, and all Ground applied to ſuch Purpoſes under the Authority of the ſaid recited Act

of

of the Forty-fifth Year aforeſaid, or by or under the Authority or Directions of the Commiſſioners appointed by the Lord Lieutenant of *Ireland* ſince the paſſing of the ſaid recited Act, and all Roads, Piers, Quays, Erections, and Buildings whatſoever which ſhall or may be made, erected, or built at any Time after the paſſing of this Act, and all Ground applied to ſuch Purpoſes under the Authority of this Act or of the Commiſſioners hereby appointed, and alſo all ſuch Land and Ground, Rock or Soil, Stones and Sand within the ſaid Harbour as is or are overflowed by the Tide of the Sea, ſhall be and the ſame are hereby veſted in the ſaid Commiſſioners for the Purpoſes of this Act until the ſaid Harbour ſhall be fully completed by and under the Direction of the ſaid Commiſſioners; and from and after the Time when the ſaid Commiſſioners ſhall deem the Improvement of the ſaid Harbour completed, teſtified by their Repreſentation to that Effect to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, all the ſaid Harbour ſo improved, and all Roads, Piers, Quays, Works, and other Erections and Buildings ſo heretofore made or which hereafter ſhall be made, erected, or built under the Authority of this Act, or of the Commiſſioners appointed under this Act, and the Ground and Soil on which the ſame are or ſhall be erected and built, ſhall be and the ſame are hereby veſted, and ſhall be and remain veſted in the Corporation for preſerving and repairing the Port of *Dublin*; and from thenceforth all the Powers by this or any other Act given to or veſted in the Commiſſioners for the Execution of this Act, ſhall be veſted in and executed by the ſaid Corporation; and the ſaid Corporation ſhall apply the Sums in and for the Maintenance and Improvement of the ſaid Harbour, and of the Roads, Quays, Works, Erections, and Buildings ſo becoming veſted in them under the Authority of this Act.

Lands may be entered to make a Survey and ſet out Land for the Works, making Satisfaction for Damages.

VI. And be it further enacted, That it ſhall and may be lawful to and for the Agents, Workmen, and Servants of the ſaid Commiſſioners from Time to Time to enter upon all Lands or Grounds of any Perſons, Bodies Politic, Corporate or Collegiate, in, upon or through which any of the Roads, Piers, Quays, Works, Erections, and Buildings authorized to be made under this Act are intended to be made, in order to ſurvey and take Levels of the ſame, and to ſet out and aſcertain ſuch Parts thereof as the ſaid Commiſſioners ſhall think neceſſary or proper for the Purpoſes of this Act, ſuch Agents or Servants making Satisfaction for ſuch Damage as they ſhall do thereby to the Occupiers of ſuch Lands or Grounds for the Time being, in caſe the ſame ſhall exceed the Sum of One Shilling Sterling.

Powers to Commiſſioners to enter Lands and take Materials for the Harbour and Works.

VII. And, for the improving and completing the ſaid Harbour, and making, uſing, and maintaining all ſuch Roads, Ways, Piers, Docks, Quays, Reſervoirs, Works, Erections, and Buildings, as the ſaid Commiſſioners ſhall deem neceſſary for that Purpoſe, and for the Execution of this Act, according to the Tenor and Intent of the ſame; be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners and their Agents, Servants, and Workmen, and they are hereby authorized and empowered in, upon and through any Lands or Premiſes being the Property of or belonging to the King's Majeſty, His Heirs or Succeſſors, or of any other Perſon or Perſons, Bodies Politic, Corporate or Collegiate, and ſituate within Three Miles of the ſaid Harbour, or at *Dalhey* or *Bullock*, on the South Side of the Bay of *Dublin* (not being within Three hundred Yards of any Capital Manſion-houſe, nor within any Plantation, Avenue, or Pleaſure Ground, nor Garden

Garden attached to any capital Manſion-houſe, planted, made, or formed before the paſſing of this Act, nor in any Deer Park incloſed with a Wall prior to the paſſing of this Act, and actually occupied at the Time with Deer, to enter and to quarry, dig, remove, take, and carry away all ſuch Stone, Limeſtone, Gravel, Sand, or any other Materials (ſtanding Timber only excepted), in, out of, upon and from ſuch Lands and Grounds as may be neceſſary or convenient to be employed for the Purpoſes of this Act, and alſo to place, lay, work, or manufacture all ſuch Stone, Limeſtone, Gravel, Sand, or other Materials which ſhall be ſo dug or got as aforeſaid, on the Grounds near to the Place or Places where the ſame ſhall be ſo dug or got, or where the ſame ſhall be uſed or employed for the Purpoſes of this Act; and alſo to make, maintain, and uſe ſuch good and ſufficient Roads and Ways as the ſaid Commiſſioners ſhall think neceſſary or convenient for conveying all ſuch Stone, Limeſtone, Gravel, Sand, and other Materials ſo cut, dug, quarried, or obtained, taken away and removed for the Purpoſes of this Act, from the Place and Places where the ſame ſhall be reſpectively ſo cut and dug, and quarried or obtained, to the Places where the ſame ſhall be employed for the Purpoſes of this Act, they the ſaid Commiſſioners making Satisfaction in Manner by this Act directed to the Owners and Proprietors of all ſuch Lands and Premiſes for all Damages by them done or to be done in the Execution of this Act,

To make Roads for conveying Materials.

VIII And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners and their Agents, Servants and Workmen, and they are hereby authorized and empowered, in and upon any Land or Premiſes by this Act veſted in the ſaid Commiſſioners, or which the ſaid Commiſſioners may enter on or purchaſe by virtue of this Act, to make, erect, complete and maintain all and every or any ſuch Ways, Roads, Fences, Piers, Docks, Quays, Reſervoirs, Works, Erections and Buildings whatever, as and where the ſaid Commiſſioners ſhall think requiſite and convenient for the Purpoſes of this Act, and alſo to make, erect, complete, and maintain ſuch Waterworks, Reſervoirs, and other Engines and Works as the ſaid Commiſſioners ſhall deem neceſſary and expedient, for ſupplying the Shipping which may reſort to the ſaid Harbour with Water from any Stream of Water now running or flowing into the Sea at the Harbour of *Howth*; and alſo to make and do all other Matters and Things whatever which they the ſaid Commiſſioners ſhall from Time to Time think fit, neceſſary and convenient for making, effecting, extending, improving, preſerving, completing, and uſing the ſaid Harbour, and all Roads, Ways, Piers, Docks, Quays, Works, Erections and Buildings relating thereto, in purſuance and within the true Meaning of this Act, they the ſaid Commiſſioners making Satisfaction in Manner by this Act directed for all Damages and Injuries done to any Lands and Premiſes which ſhall be damaged or prejudiced by the taking of any Materials, or by the making of any temporary Roads for the Conveyance of ſuch Materials for the Purpoſes of this Act, and alſo making Satisfaction in Manner by this Act directed for the Purchaſe of any Lands and Premiſes required to be employed, taken or uſed in making, completing or maintaining any permanent Roads, or in the making, erecting, completing or maintaining of any Piers, Docks, Quays, Reſervoirs, Waterworks, Engines, Works, Erections and Buildings whatſoever for the Purpoſes of this Act; and this Act ſhall be ſufficient to indemnify the ſaid Commiſſioners and their Servants, Agents,

To make Roads, Quays, and Works.

and Workmen, and all other Perſons whomſoever, for whatever they or any of them ſhall do by virtue of the Powers hereby granted.

Commiſſioners empowered to treat and agree with the Inheritors of Ground required for the Purpoſes of the Act.

IX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners for the Time being, to treat and agree with all and every or any Perſon or Perſons, Body or Bodies Politick or Corporate, who is, are, or may be the Inheritor or Inheritors, Occupier or Occupiers of any Land or Premiſes required for the Purpoſes of this Act, for the Purchaſe of ſuch Land or Premiſes, or relative to and concerning any Compenſation or Satisfaction which any ſuch Perſon or Perſons may claim or demand for any Damage or Damages which he, ſhe or they may ſuffer or ſuſtain by reaſon of the Execution of this Act; and it ſhall and may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Tenants in Tail, Truſtees and Feoffees in Truſt, Committees, Executors, Adminiſtrators, and all other Truſtees whomſoever, not only for or on behalf of themſelves, their Heirs and Succeſſors, but alſo for and on behalf of their ſeveral and reſpective *Ceſtuique* Truſts, whether Infants, Iſſue unborn, Lunatics, Idiots, Married Women, or other Perſon or Perſons, and to and for all Married Women who are or ſhall be ſeiſed, poſſeſſed of or intereſted in any Lands uſed or required for the Purpoſes of this Act, whether entitled in Fee Simple, Fee Tail, or otherwiſe, to contract and agree for, and to ſell and convey unto the ſaid Commiſſioners, or to ſuch Perſons as they ſhall nominate and appoint for the Purpoſes of this Act, all or any Part of any Lands or Premiſes which ſhall from Time to Time be uſed or required for the Purpoſes of this Act; and alſo to claim and demand, and to contract and agree with the ſaid Commiſſioners for any Compenſation or Satisfaction for any Damage or Damages which ſuch Body Politick or Corporate, or Perſon or Perſons, or his or their Lands or Premiſes reſpectively may ſuffer by reaſon of the Execution of this Act; and in caſe ſuch Treaty or Treaties ſhall end in an Agreement or Agreements, it ſhall and may be lawful to and for the ſaid Commiſſioners to take and accept of a Conveyance or Conveyances of ſuch Land or Premiſes as they ſhall purchaſe from ſuch Perſon or Perſons, Body or Bodies Politick, or Corporate, or any of them, and to take and accept of a Releaſe or Releaſes, Diſcharge or Diſcharges, for ſuch Satisfaction or Compenſation as aforeſaid, which Conveyance or Conveyances, Releaſe or Releaſes, Diſcharge or Diſcharges, ſhall be binding and concluſive to and upon the Perſon or Perſons, Body or Bodies Politick or Corporate, executing the ſame, and all Perſons claiming under them; and all Bodies Politic, Corporate or Collegiate, and all Perſons whoſoever ſo contracting or agreeing, are hereby indemnified for what they or any of them ſhall reſpectively do by virtue of or in purſuance of this Act; and the Expence of all ſuch Contracts, Agreements, Sales, Conveyances and Aſſurances, ſhall be defrayed out of the Money granted for the Purpoſes of this Act; and ſuch of them as ſhall be made for the conveying of any Lands or Premiſes to the ſaid Commiſſioners, ſhall be made according to the following Form; (that is to ſay),

'I *A. B.* of in Conſideration of the Sum of
'to me paid by the Commiſſioners appointed to carry
'into Execution an Act paſſed in the Fiftieth Year of the Reign of His
'preſent Majeſty, intituled, [*here inſert the Title of this Act*], do hereby
'grant, convey and diſpoſe to the ſaid Commiſſioners, all [*deſcribing the*
'*Land*

'*Land or Premiſes to be conveyed*], and all the Eſtate, Right, Title and 'Intereſt of me the ſaid *A. B.* my Heirs and Aſſigns, and of all Perſons 'claiming or to claim by, from, or under the ſaid *A. B.* to and in the ſame 'and every Part thereof, to hold the ſame to the ſaid Commiſſioners and 'their Succeſſors for ever, by virtue of and according to the true Intent 'and Meaning, and for the Purpoſes of the ſaid Act of Parliament. In 'Witneſs whereof I have hereunto ſet my Hand, this Day of 'in the Year of our Lord

In Default of Agreement, a Jury ſhall be ſummoned to value the ſame.

X. And be it further enacted, That in caſe the ſaid Commiſſioners, by reaſon of Non-age, Coverture, Intail, Infanity, or other legal Impediment in the Owner or Owners, Occupier or Occupiers of any Land or Premiſes uſed or required for the Purpoſes of this Act, or from any other Cauſe or Reaſon, cannot or ſhall not agree with the Owners or Occupiers of ſuch Land or Premiſes as aforeſaid, relative to the Purchaſe of any ſuch Land or Premiſes, or relative to any Satisfaction or Compenſation for Damages to ſuch Land or Premiſes, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners or any Three of them, (not being intereſted in the Queſtion to be determined by being entitled to any Sum or Sums of Money claimed or to be paid for ſuch Land or Premiſes, or Damages reſpectively or any Part thereof), to iſſue a Warrant or Warrants, Precept or Precepts, under their Hands and Seals, to the Sheriff of the County of *Dublin* in caſe the ſame ſhall be within his Bailiwick, or to the Sheriff of the County in whoſe Bailiwick the ſame ſhall be, thereby commanding and requiring ſuch Sheriff or Sheriffs to impannel and return a competent Number of ſubſtantial and diſintereſted Perſons qualified to ſerve on Juries, not leſs than Thirty-ſix nor more than Sixty, and ſuch Sheriff or Sheriffs is and are hereby empowered to impannel and return ſuch Jury accordingly, under the Penalty of Fifty Pounds, to be recovered by Action of Debt by any Perſon who ſhall ſue for the ſame in any Court of Record; and out of ſuch Perſons ſo to be impannelled and returned, a Jury of Twelve Perſons ſhall be drawn by ſome Perſon to be named by the ſaid Commiſſioners, or any Three of them as aforeſaid, in ſuch Manner as Juries for the Trial of Iſſues joined in His Majeſty's Four Courts in *Dublin*, by an Act made in *Ireland* in the Twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better Regulating of Juries*, are directed to be drawn; which Perſons ſo to be impannelled, ſummoned, and returned as aforeſaid, are hereby required to come and appear before the ſaid Commiſſioners, or any Three of them as aforeſaid, at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed, and to attend the ſaid Commiſſioners until diſcharged by the ſaid Commiſſioners, and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at liberty to challenge the Array; and the ſaid Commiſſioners or any Three of them (not being intereſted as aforeſaid), are hereby authorized and empowered, by Precept or Precepts, from Time to Time as Occaſion ſhall require, to call before them and the ſaid Jury all and every Perſon and Perſons whomſoever who ſhall be thought proper or neceſſary to be examined as Witneſſes before them; and the ſaid Jury, on their Oath or Oaths touching and concerning the Premiſes, and the ſaid Commiſſioners or any Three of them, if they ſhall think fit, ſhall and may likewiſe authorize the ſaid Jury to view the Place or Places in Queſtion in ſuch Manner as they ſhall direct, and ſhall have Power to adjourn ſuch Meeting from Day

Day to Day as Occaſion ſhall require, and to command ſuch Jury, Witneſſes and Parties to attend until ſuch Purpoſes for which they were ſummoned ſhall be concluded; and the ſaid Jury upon their Oaths (which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Commiſſioners or any One of them, not being intereſted as aforeſaid, are and is hereby empowered and required to adminiſter), ſhall enquire of the value of ſuch Ground and Premiſes as ſhall be required to be purchaſed for the Purpoſes of this Act, and of the reſpective Eſtate, Right, Title, Term and Intereſt of every Perſon and Perſons, Body or Bodies Politick and Corporate, ſeiſed or poſſeſſed thereof or intereſted therein, or of or in any Part thereof, and alſo what Compenſation and Satisfaction, if any, ſhall be awarded and paid to any Perſon or Perſons, Body or Bodies Politick or Corporate, for any Damage or Damages which they or any of them may conſequently or otherwiſe ſuffer or ſuſtain, or have ſuffered or ſuſtained by any Act, Matter or Thing done in the Execution of this Act, and ſhall aſſeſs and award the Sum or Sums to be paid to every ſuch Perſon or Perſons for the Purchaſe of ſuch his, her, or their reſpective Eſtates, Rights, Titles, Terms and Intereſts as aforeſaid, or for any ſuch Damage or Damages as aforeſaid; and the ſaid Commiſſioners or any Three of them (not being intereſted as aforeſaid), ſhall and may give Judgement for ſuch Sum or Sums of Money ſo to be aſſeſſed and awarded, which ſaid Verdict or Verdicts, and the ſaid Judgement or Determination thereupon (Notice in Writing being given to the Perſon or Perſons, Body or Bodies Politic and Corporate intereſted, at leaſt Fourteen Days before the Time of the Firſt Meeting of the ſaid Jury, declaring the Time and Place of the Meeting, by leaving ſuch Notice at the Dwelling-houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, if then reſident within *Ireland*, and if not, then with the known Agent or Receiver of the Rents of ſuch Perſon as ſhall be then abſent from *Ireland*, or if a Body Politick or Corporate, then with the oſtenſible or waiting Officer of ſuch Body Politick or Corporate), ſhall be binding and concluſive to all Intents and Purpoſes whatſoever againſt all and every Perſon or Perſons, Bodies and Body Politick and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe or Intereſt in, to, or out of any ſuch Land and Premiſes, either in Poſſeſſion, Reverſion, Remainder or Expectancy, as well Infants and Iſſue unborn, Lunatics, Idiots and Femes Covert, and Perſons under any legal Incapacity or Diſability, as all other *Ceſtuique* Truſts, his, her and their Heirs, Succeſſors, Executors and Adminiſtrarors, and againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgements, and Decrees, and all other Proceedings of the ſaid Commiſſioners and Juries to be made, given and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned and ſealed by the ſaid Commiſſioners who ſhall pronounce ſuch Judgement.

Jury ſhall value Ground according to its actual ſtate.

XI. And be it further enacted, That where the value of any Land or Premiſes, or the Recompence for any Damage done or to be done in any Land or Premiſes, ſhall be ſubmitted to a Jury, ſuch Land or Premiſes and the Damage done thereto ſhall be valued by ſuch Jury, with reſpect to the State, Situation, and value of ſuch Land and Premiſes, in like Manner as if the ſaid recited Act of the Forty-fifth Year or this Act had not been made; and not according to the additional value which ſuch Land or Premiſes ſhall or may acquire by the improving and completing of the ſaid Harbour, or by any future Improvement to be made in ſuch Land or Premiſes in

conſequence of the Expenditure which ſhall be laid out for the Purpoſes of this Act.

Expences of Juries how to be paid.

XII. Provided always, and be it enacted, That in all Caſes where a Verdict or Aſſeſſment ſhall be given or made for more Money, as a Recompence or Satisfaction for any Lands or Premiſes or for any Damage done or to be done to the ſame, than had been previouſly offered by or on behalf of the ſaid Commiſſioners, all the Expences of ſummoning ſuch Jury and of taking ſuch Inqueſt ſhall be defrayed by the ſaid Commiſſioners; but if any Verdict or Aſſeſſment ſhall be given or made for no more or for a leſs Sum than had been previouſly offered by or on behalf of the ſaid Commiſſioners, then and in every ſuch Caſe the Coſts and Expences of ſummoning ſuch Jury and taking ſuch Inqueſt ſhall be borne and paid by the Party to whom ſuch Offer was previouſly made by ſuch Commiſſioners: Provided always, that where by reaſon of Abſence any Perſon or Perſons ſhall be prevented from treating with the ſaid Commiſſioners, all the Coſts and Expences of ſummoning the Jury and taking ſuch Inqueſt ſhall be borne and paid by the ſaid Commiſſioners.

Perſons requeſting a Jury, to enter into Bond to proſecute.

XIII. Provided alſo, and be it enacted, That all Perſons making Complaints and requeſting ſuch Jury, for the aſcertaining the Value of any Lands or Premiſes or the Amount of any Recompence or Satisfaction for any Damage done or to be done to the ſame, ſhall before the ſaid Sheriff ſhall be obliged to ſummon ſuch Jury, firſt enter into a Bond with Two Sureties to the Secretary or Clerk of the ſaid Commiſſioners for the Time being, in the Penalty of Fifty Pounds Sterling, to proſecute ſuch his, her, or their Complaint, and to bear and pay the Coſts and Expences of ſummoning ſuch Jury and taking ſuch Inqueſt, in caſe a Verdict ſhall be given for no more or a leſs Sum than had been offered by or on behalf of the ſaid Commiſſioners before ſummoning and returning the ſaid Jury or Juries, as the Value or as a Recompence or Satisfaction for any Lands or Premiſes or for any Damages as aforeſaid: Provided always, that if the Perſon ſo requeſting ſuch Jury ſhall refuſe to enter into ſuch Bond as aforeſaid, it ſhall and may be lawful for the Commiſſioners under this Act to require ſuch Jury to be ſummoned, and the ſame ſhall be ſummoned accordingly by the Sheriff; and the Expence of ſummoning ſuch Jury, and of taking the Inqueſt by them, ſhall be defrayed in Manner and under the Regulations herein-before provided, mentioned, and contained.

Upon Payment of Sums ſo awarded, Conveyances ſhall be made of ſaid Ground to Commiſſioners.

XIV. And be it further enacted, That upon Payment of ſuch Sum or Sums of Money ſo to be awarded or adjudged to the Perſon or Perſons to whom the ſame ſhall be awarded for the Purchaſe of any ſuch Ground or Premiſes as aforeſaid, or for the Purchaſe of any Eſtate, Right, Title, Term, or Intereſt therein, ſuch Perſon or Perſons ſhall make and execute or procure to be made and executed Conveyances to the ſaid Commiſſioners of ſuch Ground and Premiſes as aforeſaid, or of ſuch Eſtate, Right, Title, Term, or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo awarded in the Form herein-before ſet forth, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things neceſſary and requiſite to make a good, clear, and perfect Title to the ſaid Commiſſioners; and ſuch Perſon or Perſons, Body or Bodies Politic and Corporate, to whom any Sum or Sums of Money ſhall be awarded by Way of Satisfaction and Compenſation for any ſuch Damages as aforeſaid, ſhall give and perfect to the ſaid Commiſſioners a full

and ſufficient Releaſe, Acquittance, and Diſcharge from all Claims and Demands for or on Account of all Damages for which ſuch Sum ſhall be awarded as aforeſaid.

Such Verdicts ſhall be entered in the Rolls Office of the Court of Chancery, and Copies thereof deemed Evidence in all Courts; and Premiſes veſted in Commiſſioners on payment to Owners or into Chancery.

XV. And be it further enacted, That all ſuch Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings of the ſaid Commiſſioners and Juries as relate to or concern the Premiſes aforeſaid, ſhall be entered in the Rolls Office of the ſaid Court of Chancery, and the ſame or true Copies thereof ſhall be deemed and taken to be good and ſufficient Evidence and Proof in any Court or Courts of Law or Equity whatſoever; and immediately on the Entry of ſuch Verdicts, Judgements, Sentences, Decrees, Orders and other Proceedings of the ſaid Commiſſioners and Juries as aforeſaid, and on Payment of the Sum or Sums of Money agreed on or adjudged or awarded either for the Purchaſe of any Land or Premiſes, or as a Satisfaction or Compenſation for any Damages, to the Proprietor or Proprietors of any Ground or Premiſes, or to the Perſon or Perſons who ſhall be entitled to receive ſuch Money or on Payment of ſuch Money reſpecting which any Difficulties, Diſputes, or Differences ſhall ariſe, into the Bank of *Ireland* in Manner and for the Purpoſes herein mentioned, all the Eſtate, Right, Title, Term, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons to whom or for whoſe Uſe ſuch Money ſhall be paid as aforeſaid, into and out of all Ground and Premiſes which ſhall be ſo purchaſed, ſhall veſt in the ſaid Commiſſioners for the Purpoſes of this Act, and the ſaid Commiſſioners ſhall be deemed in Law to be in the actual Poſſeſſion thereof to all Intents and Purpoſes whatſoever; and all and every Perſon and Perſons, Body and Bodies Politick and Corporate to whom any ſuch Satisfaction or Compenſation as aforeſaid ſhall be awarded, ſhall from thenceforth be for ever barred from claiming any further or other Satisfaction or Compenſation whatſoever for any Damage which they or any of them ſhall ſuſtain by the Means aforeſaid.

Premiſes thenceforth veſted in the Corporation.

Conveyances as aforeſaid, of Eſtate, &c. to be effectual.

XVI. And be it further enacted, That the Conveyance to the ſaid Commiſſioners of any ſuch Eſtate and Intereſt of any Feme Covert in or to any ſuch Ground or Premiſes as aforeſaid by Bargain and Sale acknowledged by ſuch Feme Covert in ſuch Manner as Bargains and Sales are uſually acknowledged, and enrolled in the Rolls Office of His Majeſty's High Court of Chancery in *Ireland* within Six Months after the making thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme Coverts in the Premiſes as any Fine or Fines, Recovery or Recoveries ſhould or could do if levied or ſuffered thereof in due Form of Law; and further, that all Bargains and Sales whatſoever to be made of any Ground or Premiſes which ſhall be purchaſed by the ſaid Commiſſioners by virtue of and for the Purpoſes of this Act, ſhall have the like Force, Effect, and Operation in Law, to all Intents and Purpoſes, which any Fine or Fines, Recovery or Recoveries whatſoever would have if levied or ſuffered by the Bargain or Bargains, or any Perſon ſeiſed of any Eſtate in the Premiſes in Truſt for or to the Uſe of ſuch Bargain or Bargains in any legal Manner and Form whatſoever.

Application of Compenſation Money when exceeding 200l.

XVII. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers and for the Purpoſes of this Act, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon

ſon or Perſons under any Diſability or Incapacity, or ſeiſed or poſſeſſed of only a particular or determinable Eſtate or Intereſt therein, ſuch Money ſhall in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to his Account *ex parte* the Commiſſioners for executing this Act; to the Intent that ſuch Money may be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petitition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands or Hereditaments, towards the Diſcharge of any Debt or Debts or ſuch other Incumbrances or Part thereof as the ſaid Court ſhall authorize to be paid affecting the ſame Lands or Hereditaments, or affecting other Lands or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands or Hereditaments, which ſhall be conveyed and ſettled to, for and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court of Chancery upon Application thereto, be veſted by the ſaid Accountant General in his Name in the Purchaſe of ſome of the Public Funds or Annuities transferrable at the Bank of *Ireland*; and in the mean Time and until the ſaid Public Funds or Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Funds or Annuities ſhall from Time to Time be paid by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands or Hereditaments ſo hereby directed to be purchaſed in caſe ſuch Purchaſe or Settlement were made.

Application when Compenſation is leſs than 200l. and exceeds 20l.

XVIII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands or Hereditaments purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation or to any Perſon or Perſons under Incapacity or Diſability as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in ſuch Caſe the ſame ſhall (at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands or Hereditaments taken or uſed, or of his or her or their Guardian or Guardians, Committee or Committees in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands) be paid into the ſaid Bank of *Ireland* in the Name and with the Privity of the ſaid Accountant General of the ſaid High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in the Manner herein-before directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option and approved of by the Commiſſioners for executing this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money and the

the Dividends arising therefrom may be applied in Manner herein-before directed, so far as the same may be applicable without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where Money is less than 20l.

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

In case of not making out Titles;

XX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners or any Three or more of them, or shall refuse to execute such Conveyance or Conveyances, or such Release, Acquittance or Discharge as is required by this Act, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or in case it shall not satisfactorily appear to such Commissioners what Shares and Proportions of any Purchase Money or Recompence for Damages ought to be paid or allowed to any Tenant or other Person having a particular Estate, Term, or Interest in any Premises; or if the Person or Persons entitled to any Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to order the said Sum or Sums of Money so awarded to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof or Payment of the Interest thereof according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Ireland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

or if Persons cannot be found, the Purchase Money to be paid into the Bank, subject to the Order of the Court of Chancery, on Motion or Petition.

Where any Question shall arise touching

XXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the

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

the Title to Money to be paid, the Perſon who ſhall be in Poſſeſſion of the Lands at the Time of ſuch Purchaſe ſhall be deemed entitled thereto according to ſuch Poſſeſſion.

XXII. Provided alſo, and be it further enacted, That when by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable to be paid by the ſaid Commiſſioners out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XXIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners from Time to Time to make, erect, and build, in and upon the Iſland called *Ireland's Eye*, and in the Sea between the ſaid Iſland and the Main Land, ſuch Piers, Quays, Works, Erections, and Buildings as to the ſaid Commiſſioners ſhall ſeem neceſſary or expedient for the more effectual Improvement and Completion of the ſaid Harbour of *Howth*, or of the Security and Facility of the Acceſs of Veſſels thereto; and that all ſuch Piers, Quays, Works, Erections, and Buildings at the ſaid Iſland, or in the Sea between the ſame and the Main Land, ſhall be made, erected, and built under the Powers and Proviſions of this Act; and the ſaid Commiſſioners ſhall have all ſuch Powers for making, erecting, and building the ſame, and for obtaining Materials for the ſame, as are by this Act given to or veſted in the ſaid Commiſſioners with reſpect to the ſaid Harbour; and all ſuch Piers, Quays, Works, Erections, and Buildings whatſoever, ſhall be and become veſted in the ſaid Commiſſioners, and afterwards in the Corporation for preſerving and repairing the Port of *Dublin*, in like Manner as is in this Act provided with reſpect to the Piers, Quays, Works, Erections and Buildings whatſoever heretofore made or hereafter to be made,

Commiſſioners may build Piers, &c. at Ireland's Eye.

erected and built in or about the said intended Harbour of *Howth*; and all the Provisions of this Act shall extend to all such Piers, Quays, Works, Erections, and Buildings whatsoever in the said Island called *Ireland's Eye*, in like Manner as the same are extended to the said Harbour and the other Works in this Act before mentioned.

Penalty for damaging the Works, or obstructing Execution of this Act.

XXIV. And be it further enacted, That if any Person shall wilfully obstruct, molest, or hinder any Surveyor, Engineer, Workman, or Labourer employed by the said Commissioners for the Purposes of this Act, in the Performance of his or their Duty or Employment in the Execution of this Act, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, nor less than Forty Shillings; and if any Person shall wilfully and to the Prejudice of the said Harbour break, throw down, damage, or destroy any Pier, Dock, Quay, Reservoir, Erection, Machine, Building, or Work whatever, heretofore erected or made or hereafter to be erected or made by virtue of this Act, or any Part thereof, or shall obstruct, hinder, or divert the Course of any Stream of Water, which at any Time before the passing of this Act ran or flowed into the Sea at the said Harbour, or shall do any other wilful Hurt or Mischief to obstruct, hinder, or prevent the carrying on, completing, supporting, improving, and maintaining of the said Harbour, or of any Waterworks or other Works erected under this Act, every such Person shall be adjudged guilty of Felony; and every such Person so offending, and being thereof lawfully convicted, shall be subject to the like Pains and Penalties as in Cases of Felony, and the Court by or before whom such Person shall be tried and convicted, shall have Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Law of *Ireland*; or in Mitigation of such Punishment, such Court may award such lesser Punishment as to such Court shall seem proper.

Recovery of Fines.

XXV. And be it further enacted, That every Fine, Penalty and Forfeiture inflicted by this Act, (the levying and Recovery whereof is not particularly herein-before directed), shall and may be recovered on Conviction of the Offender by the Oath of One credible Witness, or on his own Confession, before any One Justice of the Peace for the County or Place wherein the Offence shall be committed or the Offender shall be; and every such Fine, Penalty, and Forfeiture shall and may, in case of Non-payment thereof, be levied by Distress and Sale of the Goods and Effects of the Offender or Offenders, by Warrant under the Hand and Seal of any such Justice of the Peace, and every such Justice is hereby authorized and required to examine Witnesses upon Oath, and to hear and determine all Complaints touching any such Offence or Offences; and every Fine, Forfeiture and Penalty (the Application whereof is not herein-before particularly directed), shall be paid into the Hands of the Secretary to the said Commissioners, and shall be applied and disposed of to the Purposes of this Act; and the Overplus of the Money raised by such Distress and Sale, after deducting such Fine, Penalty, or Forfeiture, and the Expences of such Distress and Sale, shall be rendered to the Owner of the Goods and Effects so distrained; and for Want of sufficient Distress, or in case the Fine, Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for such Justice by Warrant under his Hand, to commit such Offender to the Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fine, Penalty or Forfeiture, and all reason-

able Charges attending the Recovery thereof ſhall be ſooner paid and ſatisfied.

XXVI. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done by virtue or in purſuance of this Act, until Twenty-one Days Notice thereof in Writing ſhall have been given to the ſaid Commiſſioners, nor after a ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every ſuch Action ſhall be brought in ſome of His Majeſty's Courts of Record at *Dublin*, and ſhall be laid in the County of *Dublin* and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear ſo to be done, or if ſuch Action or Suit ſhall be brought after the Time hereinbefore limited for bringing the ſame, or ſhall be brought without Twenty-one Days Notice thereof, or ſhall be brought in any other County or Place, or after a ſufficient Satisfaction made or tendered as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhould paſs againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Double Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſes of Law. Limitation of Actions. Coſts.

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