

ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

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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 ſo appointed, and from Time to Time to nominate and appoint ſuch other Perſon or Perſons to be a Commiſſioner or Commiſſioners, not exceeding Fifteen in Number, as ſuch Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being ſhall think fit.

Commiſſioners to take and ſubſcribe Oath.

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 himſelf or themſelves the Execution of any of the Powers or Authorities hereby given, other than adminiſtering the ſaid 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 'Judgment, 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 Fifty-ſixth Year of the Reign of His Majeſty 'King *George* the Third, intituled *An Act for erecting an Harbour for 'Ships to the Eaſtward of* Dunleary, *within the Port of* Dublin:'

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, from Time to Time to nominate and appoint ſuch Secretary, Clerk, and other Officers, and alſo from Time to Time to employ ſuch Engineers and Surveyors, and ſuch Labourers and Workmen, and at ſuch Salaries and Wages as the ſaid Commiſſioners ſhall think proper and expedient for the better carrying into Execution the Purpoſes of this Act: Provided nevertheleſs, that ſuch Secretary, Clerks, and Officers as already have been or ſhall be hereafter appointed, and each of them, ſhall take and ſubſcribe the following Oath, before he or they ſhall take upon him or themſelves the Execution of any of the Duties annexed to their ſaid Office:

Officers to take and ſubſcribe Oaths.

'I *C. D.* do ſwear that I will well and faithfully, without Fraud or Con- 'cealment, do, perform, and execute, the ſeveral Duties attached to 'the Office of [*here name the Office,*] to which I have been appointed 'by the Commiſſioners for erecting an Aſylum Harbour at *Dunleary*, and 'that I will not accept or receive, directly or indirectly, any Monies, Fees, 'Perquiſites, or Profits, by way of Commiſſion, Premium, Percentage, 'or otherwiſe, for or by reaſon of the ſaid Office or any of the Duties 'annexed thereunto, or by reaſon of any Account, Contract, or Payment 'made or to be made or in any way relating to the ſaid Harbour, or any 'of the Materials or Works thereof, ſave ſuch Payment and Compenſa- 'tion only as ſhall be paid or allowed to me by the ſaid Commiſſioners:'

Which Oath any One of the ſaid Commiſſioners is hereby authorized and required to adminiſter; and if any ſuch Secretary, Clerk, or other Officer, ſhall be guilty of any Embezzlement, Concealment, Fraud, or other Matter, contrary to the true Intent and Meaning of the ſaid Oath, and be thereof convicted, he ſhall for the ſaid Offence ſuffer the Pains and Penalties as for wilful and corrupt Perjury.

Commiſſioners may contract.

IV. And be it further enacted, That 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 repairing of all or any of the Quays, Piers, Walls, Erections, 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 by the ſaid Commiſſioners or any Three of them for that Purpoſe, and that all Contracts which ſhall have been made or entered into, and all Nominations and Appointments of Engineers, Clerks, Secretary, and other Officers, which ſhall have been made 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 Fifty-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, and have Effect in like Manner, as Contracts, Nominations, and Appointments made or to be made under the Authority of this Act.

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

V. And be it further enacted, That the ſaid Commiſſioners may ſue and be ſued in the Name of their Secretary for the Time being, by the Style and Title of Secretary to the Commiſſioners for *Dunleary Harbour*, 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, or proſecuted in the Name of their Secretary, and that no Action, Suit, Proſecution, Information, Appeal, or other Proceedings 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 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

dable 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, 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 of the ſaid Commiſſioners.

Commiſſioners empowered to execute this Act.

VI. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authorized and empowered to proceed in the making improving, and completing the ſaid Harbour, and in the making and completing a Road and Quay along the Beach and Shore Weſtward of the ſaid Harbour, and alſo to make ſuch other permanent and temporary Roads to the ſaid Harbour as they ſhall think fit and neceſſary for the Benefit and Advantage of the ſaid Harbour, or for the Conveyance of Materials thereto, or to any of the ſaid Works connected therewith as aforeſaid, and alſo to make and maintain Reſervoirs for ſupplying with Water all Shipping and Veſſels as may reſort to the ſaid Harbour; and that for the Purpoſes of this Act, all Quays, Piers, Buildings, Erections, 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, Strand, Land, Rocks, Stones, and Materials applied to ſuch Purpoſes at, in, or near *Dunleary* aforeſaid, by the Public or out of the Public Money, or under the Authority of any Parliamentary Grant, or any Act heretofore made, 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 and all ſuch Works as aforeſaid ſhall be fully completed by and under the ſaid Commiſſioners, and from and after the Time when the ſaid Commiſſioners ſhall deem the Erection, Completion, and Improvement of the ſaid Harbour, and all ſuch other Works as aforeſaid completed, teſtified by their Repreſentation to that Effect to the Lord Lieutenant or other Chief Governor or Governors for the Time being, all the ſaid Harbour ſo erected, completed, and 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 declared to be from thenceforth veſted, and ſhall be and remain from thenceforth veſted in the Corporation for the preſerving and improving the Port of *Dublin*; and all the Powers by this Act or any other Act given to or veſted in the Commiſſioners for the Execution of this Act, ſhall be from thenceforth veſted in and executed by the ſaid Corporation, and the ſaid Corporation ſhall from thenceforth out of the Funds veſted in the ſaid Corporation for the Purpoſe of preſerving and improving

proving the Port of *Dublin*, maintain, ſupport, and keep up the ſaid Harbour, and all the Roads, Quays, Works, Erections, and Buildings belonging thereunto, and ſo becoming veſted in them under the Authority of this Act, in like Manner as they do the other Works of the ſaid Corporation within the Port and Harbour of *Dublin*.

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

VII. 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, or 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 and 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 One Shilling Sterling.

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

VIII. And for the making, 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, (not being within Three Hundred Yards of any capital Manſion Houſe, nor within any Plantation, Avenue, Pleaſure Ground, or Garden attached to any capital Manſion Houſe, planted, made, or formed before the paſſing of this Act, or 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 and convenient to be employed for the Purpoſe 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 Stone 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 Stones, Limeſtones, Gravel, Sand, or other Materials, ſo cut, dug, quarried or obtained, taken away or removed for the Purpoſes of this Act, from the Place and Places where the ſame ſhall be reſpectively ſo cut and dug, and quarried and obtained, to the Places where the ſame ſhall be employed for the Purpoſes of this Act, they the ſaid Commiſſioners making Satisfaction 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.

IX. And

To make Roads, Quays, and Works.

IX. 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 that they may enter on, take, or purchaſe by virtue of this Act, to make, erect, complete, and maintain all and every and other ſuch Roads, Ways, Fences, Piers, Docks, Quays, Reſervoirs, Works, Erections, and Buildings whatſoever, 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 all ſuch Ships and Veſſels, which may reſort to the ſaid Harbour, with Water; and for that Purpoſe to convey and uſe any Stream or Streams of Water now running or flowing into the Sea at or near the Harbour or Town of *Dunleary*, or within Three Miles thereof as aforeſaid; and alſo to make and do all other Matters and Things 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, Waterworks, 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 Roads or 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 or temporary 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 and Workmen, and all other Perſons whomſoever, for whatever they or any of them ſhall do by virtue of the Powers hereby granted.

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

X. 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, Bodies Politic 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 Politic, 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 or on Behalf of their ſeveral 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 ſeized, 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 Politic or Corporate, or Perſon or Perſons, or his or their Lands or Premiſes may reſpectively 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 Lands or Premiſes as they ſhall purchaſe from ſuch Perſon or Perſons, Body or Bodies Politic 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 Politic or Corporate, executing the ſame, and all Perſons claiming under them, and all Bodies Politic, Corporate, or Collegiate; and all Perſons whomſoever ſo contracting and 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 Commiſſioners ſhall be made according to the following Form, or ſome other Form to the like Effect; (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 Fifty-ſixth Year of the Reign of His preſent Majeſty, intituled *An Act for erecting an Harbour for Ships to the Eaſtward of* Dunleary, *within the Port of* Dublin, do hereby grant, convey, and diſpoſe to the ſaid Commiſſioners, all (*deſcribing the Lands or Premiſes to be conveyed,*) and all the Eſtate, Right, Title, and Intereſt of me the ſaid *A. B.* to and in the ſame, and every Part thereof, to hold the ſame unto 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 '.

And that ſuch Conveyance in the Form aforeſaid, or any other Form to the ſame Effect, ſhall be good and effectual in Law and Equity to all Intents and Purpoſes whatſoever, to convey and veſt in the ſaid Commiſſioners all the Eſtate, Right, Title, and Intereſt of the Perſon and Perſons ſo conveying, and ſhall be good and effectual againſt them, their Heirs and Succeſſors (as the Caſe may be).

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

XI. And be it further enacted, That in caſe the ſaid Commiſſioners by Reaſon of Nonage, Coverture, Intail, Infanity, or other legal Impediment in the Owner or Owners, Occupier or Occupiers, of any Land or Premiſes,

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 and 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 for 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 to be paid for ſuch Land and Premiſes, or Damages reſpectively, or any Part thereof,) from Time to Time, to iſſue a Warrant or Warrants, Precept or Precepts, under their Hands and Seals, to the Sheriffs of the County of *Dublin*, thereby commanding ſuch Sheriff 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 is hereby authorized and required to impannel and return ſuch Jury and Juries from Time to Time accordingly, under the Penalty of Fifty Pounds for every Default in ſo doing, to be recovered by Action of Debt, Bill, Plaint, or Information, by ſuch Commiſſioners or their Secretary, or in default by them, then by any Perſon who ſhall ſue for 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 Regulation 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, Summons or Summonſes, 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 and 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 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 to Day as Occaſion ſhall require, and to command ſuch 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 require to be purchaſed for the Purpoſes of this Act, and of the reſpective Eſtate, Right, Title, Term, and Intereſt, of every Perſon or Perſons, Body or Bodies Politic and Corporate, ſeized or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof; and alſo, what Compenſation or Satisfaction, if any, ſhall be awarded and paid to any Perſon or Perſons, Body or Bodies Politic or

Corporate, for any Damage or Damages, which he, or 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 Judgment for ſuch Sum or Sums of Money ſo to be aſſeſſed and awarded, which ſaid Verdict or Verdicts, and the ſaid Judgment and Determination thereupon, (Notice in Writing being given to the Perſon or Perſons, Body or Bodies Politic or 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 Perſons as ſhall be then abſent from *Ireland*, or if a Body Politic or Corporate, then with the oſtenſible or waiting Officer of ſuch Body Politic or Corporate,) ſhall be binding and concluſive to all Intents and Purpoſes whatſoever, againſt all and every Perſon or Perſons, Body and Bodies Politic and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of any ſuch Land or Premiſes, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well Infants and Iſſue Unborn, Lunatics, Idiots, and Femes Coverts, and Perſons under any legal Incapacity or Diſability, and all other Ceſtuique Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, and againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgments, 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 by the ſaid Commiſſioners, who ſhall pronounce ſuch Judgment.

Jury ſhall value Ground according to its actual State.

XII. And be it further enacted, That when 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 actual State, Situation, and Value of ſuch Lands and Premiſes, in like Manner as if the ſaid recited Act of the Fifty-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, or be ſuppoſed to acquire, by the making, improving, and completing of the ſaid Harbour, or by any future Improvements to be made or which might be made in ſuch Land or Premiſes in conſequence of ſuch Harbour, or the Expenditure which ſhall be laid out for the Purpoſes of this Act.

Expences of Juries how to be paid.

XIII. 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 Satisfaction 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 out of the Fund provided by this Act; 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 when by reaſon of Abſence, or any Incapacity as aforeſaid, any Perſon or Perſons ſhall be prevented from treating with the ſaid Commiſſioners, all the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be borne and paid by the ſaid Commiſſioners out of the ſaid Funds.

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

XIV. 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 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 Damage 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 hereinbefore provided, mentioned, and contained.

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

XV. 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, 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 hereinbefore ſet forth, or ſome other Form to the ſame Effect, 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 or Corporate, to whom any Sum or Sums of Money ſhall be awarded by way of Compenſation or Satisfaction 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 Sum ſhall be awarded as aforeſaid.

Such Verdicts ſhall be entered into

XVI. And be it further enacted, That all ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the ſaid Commiſſioners

missioners 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, Judgments, 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 which 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 to whose Use such Money shall be paid as aforesaid, into and out of all Ground and Premises which shall be so purchased, shall pass to and be vested 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 of such, to all Intents and Purposes whatsoever; and all and every Person or Persons, Body and Bodies Politic and Corporate, to whom any such Satisfaction and 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.

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.

Premises thenceforth vested in the Commissioners

XVII. 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 Conveyance in the Form hereinbefore directed and prescribed, and enrolled within Six Calendar Months in any of His Majesty's Four Courts in *Dublin*, shall as effectually and absolutely convey the Estate and Interest of such Femes Coverts in the Premises as any Fine or Fines, Recovery or Recoveries, should or could do if levied or suffered in due Form of Law; and further, that all Conveyances to be made in the Form hereinbefore directed and prescribed, or any other Form to the same Effect, and enrolled as hereinbefore mentioned, 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 Bargainor or Bargainors, or any Person seized of any Estate in the Premises in Trust, for or to the Use of such Bargainor or Bargainors in any legal Manner and Form whatsoever.

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

XVIII. 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 or Persons under any Disability or Incapacity, or seized or possessed of only a particular or determinable Estate or Interest therein, such Money shall, in case the same amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank

Application of Compensation Money when exceeding 200l.

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 Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands and 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 which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect, and in the Meantime and until ſuch Purchaſe ſhall be made the ſaid Money ſhall by Order of the ſaid Court of Chancery, upon Application thereto, be veſted by the ſaid Accountant-General in his Name, in the Purchaſe of ſome of the Government Securities transferrable at the Bank of *Ireland*; and in the Meantime, and until the ſaid Government Securities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Government Securities 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 100l. and exceeds 20l.

XIX. 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 and Hereditaments taken or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the 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 hereinbefore 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 Dividends ariſing therefrom, may be applied in Manner hereinbefore 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.

XX. 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 have been entitled

entitled to the Rents and Profits of the Lands and 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 Title.

XXI. 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 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 the ſaid 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 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, Control, and Diſpoſition of the ſaid Court of Chancery, which ſaid Court, on the Application of any Perſon or Perſons making claim to any ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in Government Securities, 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 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

XXII. 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 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 to be purchaſed in purſuance of this Act, or to any Government Securities to be purchaſed with any ſuch Money, or to the Dividends or Intereſts of any ſuch Government Securities, 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

deemed entitled thereto according to such Possession.

or Persons, shall be deemed and taken to be 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 Government Securities to be purchased with such Money, and also the Capital of such Government Securities 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 Court of Chancery may order reasonable Expences of Purchases to be paid by the Trustees.

XXIII. 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 of 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.

Penalty for damaging the Works or obstructing the 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, her, 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; and if any Person shall wilfully, and to the Prejudice of the said Harbour, break, throw down, destroy, or in anywise damage or injure any Pier, Dock, Quay, Reservoir, Erection, Machine, Building, Road, Rail Way, or other 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, other than as shall be done by or under the Directions of the said Commissioners, 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 Water or other Works erected under this Act, every such Person shall be adjudged guilty of Felony, and every such Person so offending, and being lawfully convicted thereof, 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.

To prevent stealing Ropes, &c.

XXV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall steal, or fraudulently or unlawfully take from on

Board

Board any Ship, Wherry, Boat, or other Veſſel lying within the preſent Harbour of *Dunleary*, or within the ſaid intended Aſylum Harbour, or from or upon the Piers, Quays, Roads, or Ways leading to or belonging to the ſaid Harbours, or either or any of them, any Rope, Cable, Anchor, Oar, Spar, or any Tackling, Neceſſary, or Material belonging to any ſuch Ship, Wherry, Boat, or other Veſſel, or any of the Furniture, Cargo, or Property belonging to or on Board ſuch Ships or Veſſels, or any Goods or Property of any Perſon or Perſons whatſoever, which may be lying at, upon, or along ſuch Piers, Quays, Roads, or Ways, or any of them, without the Conſent of the Owner or Owners, or ſhall ſteal or unlawfully take as aforeſaid any of the Tools, Implements, Materials, or other Goods, Chattels, or Property uſed or intended to be uſed in the ſaid Aſylum Harbour or the Works connected therewith, or belonging thereto, or to the ſaid Commiſſioners, or to any other Perſon for the Uſe of the ſaid Works, that then and in ſuch Caſe the Perſon or Perſons ſo offending ſhall, upon Conviction before any One of His Majeſty's Juſtices of the Peace for the County of *Dublin*, by the Oath of One or more credible Witneſſes, or by the Confeſſion of the Party, or upon Conviction before the ſaid Commiſſioners, or any Three of them, in Manner aforeſaid, forfeit and pay any Sum not leſs than Forty Shillings, in the Diſcretion of ſuch Juſtice or Commiſſioners; and in default of Payment thereof, immediately upon ſaid Conviction, then it ſhall be lawful for the ſaid Juſtice or Commiſſioners, and they are hereby authorized and required to commit the Offender or Offenders to the Houſe of Correction, or Common Jail of the County, there to remain without Bail or Mainprize, for any Time or Term not exceeding Six Months, at the Diſcretion of ſuch Juſtice or Commiſſioners.

Duties granted according to the Schedule annexed.

XXVI. And be it further enacted, That from and after the Fifth Day of *July* One thouſand eight hundred and ſixteen, there ſhall be raiſed, levied, collected, and paid upon or in reſpect of Ships, Veſſels, or other Bottoms coming into the Port or Harbour of *Dublin*, and upon and in reſpect of the ſeveral Perſons, Matters, and Things mentioned, ſpecified, and ſet forth in the Schedule to this Act annexed, the ſeveral Duties and Sums of Money mentioned, ſpecified, and ſet forth in the Words and Figures of the ſaid Schedule, in Addition to all other Duties of Cuſtoms payable on or in reſpect of ſuch Ships or Veſſels, or ſuch Perſons, Matters, or Things reſpectively, under any other Act or Acts in Force in *Ireland*.

Exemption of His Majeſty's Ships.

XXVII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend to any Ships or Veſſels belonging to His Majeſty, His Heirs, or Succeſſors, or that ſhall or may be employed in His Majeſty's Service, or in the Service of the Poſt Office, Exciſe, or Cuſtoms.

Duties of Tonnage on Ships and on Entries, &c. ſhall be received by the Collector of Dublin Port, and paid into the Treaſury

XXVIII. And be it further enacted, That the ſeveral Duties by this Act and the Schedule thereto annexed granted on Ships or Veſſels in reſpect of the Tonnage thereof, or by Way of Slippage or City Dues, or Anchorage, and upon Entries, Invoices, Outvoices, Bills of View, Bills of Health, Bonds, Certificates, Affidavits of Regiſtry, Licences to navigate, Debenture and Drawback Papers, and Permits, ſhall be levied, collected, and received, over and above every other Duty now payable thereon, by the Collector

for the Purposes of this Act.

Collector or other chief Officer of Customs in the Port of *Dublin*, and that the said Collector and Comptrollers, Receiver of Entries, Surveyors, or Searchers, Waiters, and all other Officers of the Customs whatever for the Time being, or their respective Deputies or Clerks at the said Port or Harbour of *Dublin*, shall not after the Commencement of the Duties by this Act granted, take or receive any Entry or Cocket, or other Discharge or Clearance, or take any Report outward for any Ship or Vessel liable or subject to the said Duties, until all the said Duties shall be paid pursuant to the Directions of this Act, to the Collector of the Customs in the said Port of *Dublin*, nor until the Master or Owner of any Ship or Vessel, subject to the Payment of any of the said Duties, shall shew and produce a Receipt for all such Duties accordingly to the Officer required to take any such Entry, Cocket, Discharge, Clearance, or Report outwards as aforesaid; and that the said Collector or other chief Officer of the Customs in the Port of *Dublin*, shall keep a separate and distinct Account of the Amount of all the said Duties to be received by him under this Act, under the Head of "Duties "applicable to *Dunleary* Harbour;" and that the said Duties shall once in every Week be accounted for by the said Collector or other Chief Officer, and shall by him be paid from Time to Time, in like Manner as other Duties of Custom, to the Receiver-General of His Majesty's Revenue, to be by him paid into the Receipt of His Majesty's Exchequer of *Ireland* to be applied to the Purposes of this Act, in Manner and according to the Regulations hereinafter mentioned.

Powers of the Commissioners.

XXIX. And be it further enacted, That for carrying into Execution the several Purposes of this Act, and the Erection and Completion of the said Asylum Harbour, and for the Protection of the said Works until they shall be completed and finished, and also of all Materials to be used therein, and for the Punishment of all Persons guilty of any Trespass or Injury to the said Works and Materials, the several Persons heretofore appointed, or who hereafter may be appointed Commissioners for the Purposes of this Act, in Manner hereinbefore mentioned, shall for the Purpose of carrying this Act into Execution have all such Powers and Authorities as are given to or vested in the Corporation for preserving and improving the Port of *Dublin*, under and by virtue of an Act made in the Parliament of *Ireland*, in the Twenty-sixth Year of His present Majesty's Reign, intituled *An Act for promoting the Trade of* Dublin, *by rendering its Port and Harbour more commodious*; and of another Act made in the Thirty-second Year of His present Majesty's Reign, intituled *An Act for repairing and preserving the Walls of the River* Anna Liffey *in the City of* Dublin, *and for amending an Act passed in the Twenty-sixth Year of His Majesty's Reign, intituled 'An Act for promoting the 'Trade of* Dublin *by rendering its Port and Harbour more commodious;*' and that all such Powers, Authorities, and Regulations, contained in the said recited Acts of the Twenty-sixth and Thirty-second Years of His present Majesty's Reign, and as shall be applicable, requisite, and necessary, for the carrying this Act into Execution, shall extend and be construed to extend, and shall be applied and made use of in the Execution of this Act, by the Commissioners for executing this Act for the Time being, in as full and ample a Manner as the said Corporation are enabled to act and do by the said recited Acts or either of them, as if the said Powers, Authorities, and Regulations were repeated and re-enacted in this Act, as fully to all Intents and Purposes whatsoever,

as far as the ſame are or can be made applicable to the Purpoſes of this Act: Provided always, that the ſaid Commiſſioners for the Purpoſes of this Act ſhall be ſubject to all ſuch Rules, Orders, Regulations, and Directions, as ſhall from Time to Time be given to the ſaid Commiſſioners by the Lord Lieutenant, or other chief Governor or Governors of *Ireland* for the Time being, for and relating to the Execution of this Act.

Lord Lieutenant may order Advances to carry into Effect Plans approved of by him and the Treaſury.

XXX. And be it further enacted, That the Commiſſioners for executing this Act ſhall from Time to Time ſubmit all Plans, Surveys, and Eſtimates which they ſhall think proper to be commenced or carried on for or towards the Erection or Completion of the ſaid Aſylum Harbour, and the other Works connected therewith as aforeſaid, to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, for the Approbation of the ſaid Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, and whenever any ſuch Plans, Surveys, and Eſtimates ſhall be ſo approved of, it ſhall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to order the Lord High Treaſurer, or Commiſſioners for executing the ſaid Office of Lord High Treaſurer for the Time being, to advance and pay to the Commiſſioners for executing this Act, out of the Conſolidated Fund of *Ireland*, from Time to Time, any Sum or Sums of Money not exceeding the Sum of One hundred thouſand Pounds Net, to be repaid with Intereſt at the Rate of Five Pounds *per Centum per Annum*, out of the Rates and Duties impoſed by this Act on Ships and Veſſels entering the ſaid Harbour.

Lord Lieutenant may advance further Sums of Money on Credit of Rates.

XXXI. And be it further enacted, That it ſhall and may be lawful for the Lord Lieutenant, or other chief Governor or Governors of *Ireland* for the Time being, to make ſuch further Advance or Advances from Time to Time, out of the Conſolidated Fund of *Ireland*, towards the Completion of the ſaid Harbour, as the Amount of the Rates and Duties hereby impoſed for the Support thereof will be ſufficient to defray the Intereſt thereof at the Rate of Five Pounds *per Centum per Annum*, and a Sinking Fund of One Pound *per Centum per Annum*, upon the whole Amount of ſuch Sum or Sums as ſhall be ſo advanced.

The Sums ſhall be advanced until the Duties are ſufficient to pay the Annual Intereſt to the Payment of which and the Liquidation of the Principal all the Duties ſhall be applied annually.

XXXII. And be it further enacted, That a ſeparate and diſtinct Account of all Money which ſhall be paid into the ſaid Exchequer, on account of the ſaid Duties, ſhall be kept in the ſaid Exchequer, and ſo much of the ſaid Money as ſhall be ſufficient to anſwer and pay all Intereſt and Sinking Fund due at the Rate aforeſaid, upon all Sums which ſhall be ſo from Time to Time advanced, ſhall on the Fifth Day of *January* in every Year be carried to and made Part of the Conſolidated Fund of *Ireland*, and every ſuch Sum and Sums of Money, ariſing from the ſaid Duties, as ſhall exceed the Amount of ſuch Intereſt and Sinking Fund, ſhall in like Manner be carried to and made Part of the Conſolidated Fund of *Ireland*, towards the Diſcharge, Repayment, and Satisfaction of the principal Sum or Sums ſo to be advanced, until the whole Amount of ſuch principal Sum and Sums ſhall be carried to and made Part of the ſaid Conſolidated Fund, in Diſcharge, Repayment, and full Satisfaction of all ſuch principal Sums to be ſo advanced and in Payment of the Intereſt and Sinking Fund thereof in the Meantime, and that when the Whole of all ſuch principal Sums and Intereſt as aforeſaid ſhall be ſo diſcharged, repaid, and ſatisfied in Manner aforeſaid,

aforesaid, all the said Duties shall cease and determine, and to be no longer levyable or payable under Authority of this Act.

Recovery of Fines.

XXXIII. And be it further enacted, That every Penalty and Forfeiture imposed or to be imposed by virtue of this Act, the Levying and Recovery whereof is not particularly hereinbefore directed, shall and may be recovered on the Conviction of the Offender, by the Oath of One credible Witness, or on his own Confession before the said Commissioners, or any Three of them, or 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 Nonpayment 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 the said Commissioners or Justice of the Peace, and such Commissioners and Justice are and 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 hereinbefore particularly directed,) shall be paid into the Hands of the Secretary to the 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 Commissioners or Justice by Warrant under their or his Hand, to commit such Offender to the Common Jail 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 reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Form of Conviction.

XXXIV. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, the Form of Conviction shall be in the Words, or to the Effect following; (that is to say,)

'BE it remembered, That on this Day of
'to wit. } in the Year of the Reign of *A. B.* is
'convicted before me [*or*, us] the Mayor, [Magistrate, *or* Justice or
'Justices of the Peace,] for the of having [*here*
'*state the Offence*] contrary to an Act made in the Fifty-sixth Year of
'the Reign of His Majesty King *George* the Third, intituled [*here insert*
'*the Title of this Act*], and I [*or*, we] the said do adjudge him,
'[her, or them] to [*here state the Punishment*]. Given under my
'Hand and Seal [*or*, our Hands and Seals] the Day and Year above
'written.'

Allowing an Appeal to the Quarter Sessions.

XXXV. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons convicted before the said Commissioners of any Offence or Offences against this Act, to appeal to the Justices of the Peace assembled at the next General Quarter Sessions, or General Sessions to be holden for the said County of the City of *Dublin*, on giving immediate Notice of such Appeal, and finding sufficient Security

to the Satisfaction of the ſaid Commiſſioners, Magiſtrate or Magiſtrates, Juſtice or Juſtices, for being perſonally preſent at ſuch General Quarter Seſſions or General Seſſions, and for proſecuting the ſaid Appeal with Effect, and for abiding the Determination of the Court therein; and the Juſtices at ſuch Seſſions are hereby authorized and required to hear and determine the Matter of ſuch Appeal in a ſummary Way, and to make ſuch Determination therein, and either to confirm or quaſh or annul the ſaid Conviction, and to award ſuch Coſts to either of the Parties or otherwiſe, as they the ſaid Juſtices ſhall judge proper; and all ſuch Determinations ſhall be final, binding, and concluſive to all Parties to all Intents and Purpoſes whatſoever.

Limitation of Actions.

XXXVI. 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 One 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, 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 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.

Commiſſioners empowered to reimburſe.

XXXVII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, out of the Funds appropriated for the Purpoſes of this Act, to reimburſe and repay all and every Perſon or Perſons who have heretofore been concerned in forwarding and carrying on the ſaid Plan of an Aſylum Harbour, for all ſuch Loſs of Time, Trouble, and Expence, as they may have from Time to Time been at, in furtherance of ſuch Object, and the Expences of obtaining and paſſing this Act, and to take Credit for the ſame in the Accounts accordingly.

Public Act.

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

SCHEDULE.

SCHEDULE to which this Act refers.

	British Currency.		
	£.	s.	d.
For every Foreign Ship or Veſſel, or thoſe belonging to Foreigners, which ſhall enter the Port or Harbour of Dublin, a Duty on the Burthen of the ſaid Ship or Veſſel, per Ton, of —	0	0	6
For every Ship or Veſſel, or Ships and Veſſels belonging to Subjects of His Majeſty, which ſhall enter the ſaid Port or Harbour, ſave thoſe freighted with Coals, and carrying Coaſtways, a Duty on ſuch Burthen, per Ton, of — —	0	0	4
For every Ship or Veſſel freighted with Coals, and for every Veſſel coming Coaſtways from any Port in Ireland, which ſhall reſpectively enter the ſaid Port or Harbour, a Duty on ſuch Burthen, per Ton, of — — — —	0	0	2
For all Entries of any Goods, Wares, or Merchandizes, which ſhall be made or entered at any Cuſtom Houſe within the Port and Harbour of Dublin, whether ſuch Entry be Inwards or Outwards, for every ſuch Entry, a Duty of — —	0	1	0
For each and every Invoice, Outvoice, Coaſt Cocket, Croſs-Channel Cocket, General Receipt, Tobacco or any other Receipt, and Luggage Permit, which may be had, got, paſſed, or procured at any ſuch Cuſtom Houſe, a Duty of —	0	2	0
For each and every Coaſt Permit and Croſs-Channel Permit, a Duty of — — — — —	0	2	0
For each and every Bond, whether Inwards or Outwards, ſave Maſters' and Mates' Bond, a Duty of — —	0	2	0
For each and every Bond called a Maſter's and Mate's Bond, a Duty of — — — — —	0	7	6
For Maſter and Mate's Certificate, and for Certificates of Regiſtry, on each a Duty of — — —	0	7	6
For each and every Ship which ſhall enter the ſaid Port and Harbour of Dublin, for Anchorage, Slippage, and City Dues, a Sum or Duty of — — — —	0	7	6
For each and every Bill of View, Store Note, and for the Papers called Debenture Papers and Drawback Papers, and for every Affidavit of Regiſtry and Bill of Health, a Duty of —	0	2	6
For every Licence to navigate, a Duty of — —	0	10	0
For every Tranſire Certificate, a Duty of — —	0	10	0

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