

ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

****

CAP. XCVII.

An Act for the Improvement of the City of *Dublin*.

[1st *August* 1849.]

WHEREAS an Act was passed in the Parliament of *Ireland* in the Thirty-first Year of the Reign of King *George* the Second, intituled *An Act for making a wide and convenient Way, Street, and Passage from* Essex Bridge *to the Castle of* Dublin, *and for other Purposes therein mentioned:* And whereas another Act was passed in the said Parliament in the Thirty-third Year of the Reign of King *George* the Second, intituled *An Act for amending an Act passed in the Thirty-first Year of His present Majesty's Reign, intituled 'An Act for making a wide and convenient Street 'and Passage from* Essex Bridge *to the Castle of* Dublin, *and for other 'Purposes therein mentioned,' as also for amending another Act passed in the same Year for widening and repairing or rebuilding* Baal's Bridge *in the City of* Limerick: And whereas another Act was passed in the said Parliament in the Seventh Year of the Reign of King *George* the Third, intituled *An Act for further amending an Act passed in the Thirty-first Year of the Reign of His late Majesty King* George *the Second, intituled 'An Act for 'making a wide and convenient Way, Street, and Passage from* 'Essex Bridge *to the Castle of* Dublin, *and for other Purposes 'therein mentioned:'* And whereas another Act was passed in the said

31 G. 2. (I.)

33 G. 2. (I.)

7 G. 3. (I.)

said Parliament in the Seventeenth and Eighteenth Years of the
17 & 18 G. 3. (I.) Reign of King *George* the Third, intituled *An Act for making and keeping in repair a Circular Road round the City of* Dublin: And whereas another Act was passed in the said Parliament, and in the said last-mentioned Years of the Reign of King *George* the Third, intituled
21 & 22 G. 3. (I.) *An Act for the Improvement of the City of* Dublin *by making wide and convenient Passages through the same, and for regulating the Coal Trade thereof:* And whereas another Act was passed in the said Parliament in the Twenty-third and Twenty-fourth Years of
23 & 24 G. 3. (I.) the Reign of King *George* the Third, intituled *An Act for continuing and amending an Act passed in the Twenty-second Year of His present Majesty's Reign, intituled 'An Act for the Improvement of the City of* Dublin *by making wide and convenient 'Passages through the same, and for regulating the Coal Trade 'thereof;' and for other Purposes:* And whereas another Act was passed in the said Parliament in the Twenty-fifth Year of the Reign of
25 G. 3. (I.) King *George* the Third, intituled *An Act to amend an Act passed in the Seventeenth and Eighteenth Years of the Reign of His present Majesty, intituled 'An Act for making and keeping in repair a 'Circular Road round the City of* Dublin:' And whereas another Act was passed in the said Parliament, and in the Twenty-sixth
26 G. 3. (I.) Year of the Reign of King *George* the Third, intituled *An Act for explaining and further amending the several Acts heretofore passed for the Improvement of the City of* Dublin *by making wide and convenient Passages through the same, and for other Purposes:* And whereas another Act was passed in the said Parliament in the Twenty-seventh Year of the Reign of King *George* the Third, intituled
27 G. 3. (I.) *An Act for further explaining and amending the several Acts now in force for making wide and convenient Passages in the City of* Dublin: And whereas another Act was passed in the said Parliament in the Thirtieth Year of the Reign of King *George* the Third,
30 G. 3. (I.) intituled *An Act for the further amending an Act, intituled 'An Act 'for continuing and amending an Act passed in the Twenty-second 'Year of His present Majesty's Reign, intituled "An Act for the 'Improvement of the City of* Dublin *by making wide and convenient Passages through the same, and for regulating the Coal Trade 'thereof;" and for other Purposes:'* And whereas another Act was passed in the said Parliament in the Thirty-sixth Year of the Reign
36 G. 3. (I.) of King *George* the Third, intituled *An Act to ascertain the Powers of the Commissioners for making wide and convenient Streets in the City of* Dublin, *for opening the Passage from* Sackville Street *to* Carlisle Bridge, *and for laying out new Streets to the Eastward thereof, and to ratify certain Grants theretofore made by the said Commissioners:* And whereas another Act was passed in the said Parliament in the Thirty-ninth Year of the Reign of King

George

George the Third, intituled *An Act to grant certain Duties therein mentioned to His Majesty, to be applied to the Purpose of making wide and convenient Ways, Streets, and Passages in the City of* Dublin, *and for enabling the Commissioners therein mentioned more effectually to execute the Trusts reposed in them:* And whereas another Act was passed in the said Parliament in the Fortieth Year of the Reign of King *George* the Third, intituled *An Act to amend and explain an Act passed in the Thirty-ninth Year of the Reign of His present Majesty, intituled 'An Act to grant certain 'Duties therein mentioned to His Majesty, to be applied to the 'Purpose of making wide and convenient Ways, Streets, and 'Passages in the City of* Dublin, *and for enabling the Commis-'sioners therein mentioned more effectually to execute the Trusts 'reposed in them:'* And whereas another Act was passed in the said Parliament in the Fortieth Year of the Reign of King *George* the Third, intituled *An Act to amend and render more effectual the Laws now in force for amending and keeping in repair a Circular Road round the City of* Dublin: And whereas another Act was passed in the Forty-seventh Year of the Reign of King *George* the Third, intituled *An Act for improving and rendering more commodious such Parts of the County and the County of the City of* Dublin *as are situate on the South Side of the River* Anna Liffey *and West of His Majesty's Castle of* Dublin, *and for the Appointment of an Inspector of the Presentments and other Accounts of the County of the City of* Dublin: And whereas another Act was passed in the Forty-seventh Year of the Reign of King *George* the Third, intituled *An Act for the more effectual Improvement of the City of* Dublin *and the Environs thereof:* And whereas another Act was passed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled *An Act to explain and amend an Act passed in the Forty-seventh Year of His present Majesty's Reign, for the more effectual Improvement of the City of* Dublin *and the Environs thereof:* And whereas another Act was passed in the Fifty-seventh Year of the Reign of King *George* the Third, intituled *An Act to amend an Act passed in the Forty-seventh Year of His present Majesty's Reign, for improving and rendering more commodious such Parts of the County and County of the City of* Dublin *as are situate on the South Side of the River* Anna Liffey *and West of His Majesty's Castle of* Dublin, *and for the Appointment of an Inspector of the Presentments and other Accounts of the County of the City of* Dublin: And whereas another Act was passed in the Eleventh Year of the Reign of King *George* the Fourth, intituled *An Act to enable the Commissioners of Wide Streets to widen and improve certain Ways, Streets, and Passages in and about the City and County of* Dublin; *and to amend*

39 G. 3. (I.)

40 G. 3. (I.)

40 G. 3. (I.)

47 G. 3. c. lxxiv.

47 G. 3. c. cix.

54 G. 3. c. ccxxi.

57 G. 3. c. xxxix.

11 G. 4. & 1 W. 4. c. cxviii.

amend and extend the Provisions of Two Acts passed in the Forty-seventh and Fifty-seventh Years of the Reign of His late Majesty, for improving and rendering more commodious such Parts of the County and County of the City of Dublin *as are situate on the South Side of the River* Anna Liffey *and West of His Majesty's Castle of* Dublin: And whereas another Act was passed in the First Year of Her present Majesty's Reign, intituled *An Act to extend, alter, and enlarge the Powers of several Acts for enabling the Commissioners of Wide Streets in* Dublin *to widen and improve certain Ways, Streets, and Passages in said City and County of* Dublin, *and for raising further Funds to enable the said Commissioners to carry the same into execution:* And whereas another Act was passed in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act for further extending the Powers of several Acts for enabling the Commissioners of Wide Streets,* Dublin, *to widen and improve certain Ways, Streets, and Passages in the City and County of* Dublin, *and for raising Funds to enable the said Commissioners to carry the same into execution:* And whereas another Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to extend the Powers of the Commissioners of Wide Streets,* Dublin, *to widen and improve certain Streets and Passages in the City and County of* Dublin: And whereas it is expedient that the said recited Acts, in so far as they relate to the paving, lighting, cleansing, widening, and improving of the Streets and Thoroughfares within the Borough of *Dublin*, and to Turnpike Roads therein, should be repealed, and that other and enlarged Powers and Provisions should be made and granted for these Purposes, and for the sanitary Improvement of the said Borough, and also that the public Markets within the said Borough should be better regulated, and that new Markets should be established therein: And whereas it is expedient that the Fiscal Powers of the Grand Jury of the County of the City of *Dublin* and the Sessions Grand Jury of the City of *Dublin*, so far as they relate to Matters required to be done within the Borough of *Dublin*, should be transferred to the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin:* May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That this Act shall commence and take effect on the First Day of *January* One thousand eight hundred and fifty-one, and thereupon the said several recited Acts, in so far as they relate to the paving, lighting, cleansing, widening, and improving of the Streets and Thoroughfares within the said Borough of *Dublin*, and to the Turnpike Roads therein, shall be and the same

7 W. 4. & 1 Vict. c. cxxvii.

4 & 5 Vict. c. lxiv.

9 & 10 Vict. c. cccc.

On 1st Jan. 1851 this Act to take effect, and recited Acts repealed, so far as they relate to paving, &c. the Streets of Dublin.

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are hereby repealed, save and except as to Matters and Things heretofore done under the same, and save so far as they repeal any Acts by them repealed: Provided always, that, except in so far as the same are hereby repealed, the said recited Acts, and all the Powers, Provisions, Penalties, Matters, and Things therein contained, shall be good, valid, and effectual, to all Intents and Purposes, in the same Manner as if this Act had not been passed.

Rates and Monies due and Property under recited Acts vested in the Town Council of Dublin.

II. And be it enacted, That all Rates due or in arrear from any Person, and all Monies due to and all Property and all Choses in Action vested in the Commissioners for widening and improving the Streets of *Dublin*, and also in the Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, respectively, under the said recited Acts or any of them, hereby repealed, at the Time of the Repeal thereof, and all Contracts, Bonds, Debts, and Engagements entered into with, to, or by the Commissioners respectively under the said recited Acts or any of them, hereby repealed, shall immediately after the Commencement of this Act be vested in the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, who may sue for, recover, and enforce the same, and act in respect thereof as effectually as if the same had been vested in or entered into with them under the said recited Acts or any of them, or this Act; and the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin* shall be liable to all the Contracts, Bonds, Debts, and Engagements to which the Commissioners respectively under the said recited Acts or any of them were liable at the Time of the Repeal thereof.

Contracts and Liabilities under the recited Acts, how to be discharged.

III. And be it enacted, That all the Contracts, Bonds, Debts, and Engagements of the Commissioners respectively for executing the said recited Acts or any of them, hereby repealed, which may be owing or in force at the Time of the Commencement of this Act, for or on account or on the Credit of the Rates or Assessments therein authorized to be made and levied, together with all Interest due or to accrue due thereon, shall be paid and discharged by and out of the Rates or Assessments which may be in force at the Time of the Commencement of this Act, or which otherwise have or may come to the Hands of the Council by virtue of the same; and in case of any Deficiency for that Purpose the Amount of such Deficiency shall be raised and paid by the Council by and out of the Rates by this Act authorized to be raised, levied, and collected; and in case there shall be any Surplus of such Monies after paying and discharging such Contracts, Bonds, Debts, and Engagements, the Amount of such Surplus shall be by the said Council carried to the Credit of the said Rates by this Act authorized to be raised and levied; and such Con-

tracts, Bonds, Debts, and Engagements shall have the same Priority, as nearly as Circumstances will admit, and shall be recovered from the Council in like Manner, *mutatis mutandis*, as the same could have been recovered from the said Commissioners respectively before the Commencement of this Act.

For paying off Wide Street Debts.

IV. And whereas the said Commissioners for making wide and convenient Ways, Streets, and Passages in the City of *Dublin*, under the Provisions of several Acts relating to the same, hereby repealed, have borrowed from the Lords Commissioners of Her Majesty's Treasury and from the *National* Insurance Company of *Ireland* large Sums of Money on the Credit of the Rates and Assessments established and vested in them by virtue of the said Acts, and for securing the Repayment of the said Monies and the Interest thereon the said Commissioners of Wide Streets have granted Mortgages on the said Rates: And whereas the said Commissioners of Wide Streets have from Time to Time paid off certain Portions of the Sums so borrowed, together with the Interest due thereon, leaving the Sum of Twenty-one thousand two hundred and sixty-three Pounds Twelve Shillings still due and owing to the said Lords Commissioners of Her Majesty's Treasury, and the Sum of Eighteen thousand five hundred Pounds still due and owing to the said *National* Insurance Company: And whereas it is expedient to provide for the Payment of such Debts, by making the same a Charge upon the Rates to be levied under the Provisions of this Act: Be it therefore enacted, That the said Mortgages and Securities for Money which before the Commencement of this Act were duly given and legally payable from and out of the Rates which the said Commissioners of Wide Streets were under the Provisions of the said recited Acts, hereby repealed, entitled to raise and levy, shall, together with all Interest due and to accrue due thereon, be chargeable on and paid by the Lord Mayor, Aldermen, and Burgesses of *Dublin* out of the Rates authorized to be levied and collected under the Provisions of this Act, and the said Lord Mayor, Aldermen, and Burgesses shall discharge such Portions of the Principal Monies so due as aforesaid, with all Interest payable thereon, and also upon the Principal Monies remaining unpaid, at such Times and in such Manner as has heretofore been lawfully done by the said Commissioners of Wide Streets, in compliance with the Obligations contained in the Mortgages and Securities herein-before mentioned, and shall be recovered from the said Lord Mayor, Aldermen, and Burgesses in like Manner as the same might have been recovered from the said Commissioners of Wide Streets if this Act had not been passed.

Old Books to be Evidence.

V. And be it enacted, That all Rate Books, and all Entries therein, and all Registers and Books of Proceedings, and other Books whatsoever,

ever, of the Commissioners respectively, under the said recited Acts, hereby repealed, kept according to the Directions of the said Acts, and made Evidence thereby, or which might have been received as Evidence at the Time of the Commencement of this Act, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Actions not to abate.

VI. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatever, commenced by or against the Commissioners respectively acting in the Execution of the said recited Acts or any of them previous to the Commencement of this Act, shall abate, cease, be discontinued, or prejudicially affected by this Act, but the same shall continue and take effect, both in favour of and against the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, under this Act, in the same Manner in all respects as the same would have continued and taken effect in relation to the Commissioners respectively under the said recited Acts or any of them if this Act had not been passed, and that all Persons who before the passing of this Act have committed any Offence or incurred any Penalty or Forfeiture under the Provisions of the said recited Acts or any of them, so far as the same are hereby repealed, may be sued and prosecuted for such Offences, Penalties, and Forfeitures in such and the like Manner as they might have been sued and prosecuted respectively if this Act had not been passed, the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin* under this Act being in reference to the Matters aforesaid in all respects substituted in place of the Commissioners respectively under the said recited Acts.

Officers acting under recited Acts to continue until removed.

VII. And be it enacted, That every Treasurer, Collector, Clerk, Supervisor of Works, Law Agent, and other Officer appointed by virtue of or acting under the Authority of the said recited Acts hereby repealed, or any of them, and who shall hold and enjoy his Office and Employment at the Commencement of this Act, shall continue to hold his Office and Employment until he shall be removed therefrom by the Council.

Short Title of the Act.

VIII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Dublin* Improvement Act, 1849."

Limits of the Act.

IX. And be it enacted, That the Limits of this Act shall be the Municipal Boundaries of the Borough of *Dublin*, and this Act shall and may be put in force within the said Limits or any Part thereof.

X. And

Provisions of 3 & 4 Vict. c. 108., and any Act amending the same, extended to this Act.

X. And be it enacted, That all the Provisions, Matters, and Things contained in the said recited Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, and of any other Act or Acts which may be passed amending the same, shall, where the same may be applicable, and are not inconsistent with the Provisions hereof, extend to this Act, and to the several Purposes and Things hereby authorized to be done, as fully and effectually as though the same Provisions, Matters, and Things were repeated and re-enacted in this Act in reference to such Purposes and Things, and the said Act or Acts and this Act shall be construed and read together as forming One Act.

Council of the Borough to execute the Act.

XI. And be it enacted, That the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, by the Council of the said Borough, shall be and they are hereby empowered to carry this Act into execution.

Council may appoint Committees.

XII. And be it enacted, That the said Council may appoint out of their own Body from Time to Time such and so many Committees, not exceeding Three, and consisting of such Number of Persons as they shall think fit, for all or any of the Purposes of this Act, which, in the Discretion of such Council, would be better regulated and managed by means of such Committees, and may fix the Quorum of such Committees: Provided always, that the Acts of every such Committee shall be submitted to the Council for their Approval.

Secretaries to be appointed to attend Committees.

XIII. And be it enacted, That the Council shall appoint a proper Person to act as Secretary, to attend each Committee, and may remove such Person, and in like Manner appoint another Person in his Place; and that no such Secretary shall follow any other Profession, Occupation, or Calling in addition to such Office, but shall devote his entire Time to the Execution of those Duties which he may by the said Council be required from Time to Time to perform; and that each such Secretary shall be paid by the said Council out of the Rates hereby authorized such Salary, not exceeding at the Rate of Four hundred Pounds *per Annum*, as they shall think fit, so long as he shall duly perform the Duties of his Office.

Quorum of Committee.

XIV. And be it enacted, That every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee unless the Quorum of Members, if any, fixed by the Council, and if no Quorum be fixed, Three Members, be present; and

and at all Meetings of the Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a casting Vote, in addition to his Vote as a Member of the Committee.

Treasurer, &c. to hold the same Offices under this Act.

XV. And be it enacted, That the Treasurer and Town Clerk for the Time being of the said Borough shall be the Treasurer and Clerk for the Purposes of this Act.

Certain Provisions of 8 & 9 Vict. c. 16. incorporated with this Act.

XVI. And be it enacted, That all Clauses and Provisions of the "Commissioners Clauses Consolidation Act, 1847," with respect to the following Matters, that is to say,

With respect to the Contracts to be entered into and the Deeds to be executed by the Commissioners,

With respect to the Appointment and Accountability of the Officers of the Commissioners,

With respect to Mortgages to be executed by the Commissioners,

With respect to making of Bye Laws,

With respect to giving of Notices and Orders, and

With respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices,

Shall, so far as the same are not varied by the Provisions of this Act, be incorporated with this Act, and such Clauses shall apply to the paving, lighting, cleansing, widening, sewering, and improving the Streets, and also to the Markets, within the said Borough, and to the said Lord Mayor, Aldermen, and Burgesses, or the Council on their Behalf, and shall be construed as if the Expression "The Lord Mayor, Aldermen, and Burgesses of *Dublin*" had been inserted therein instead of the Word "Commissioners," or, where any Act is required or authorized to be done by or to a certain Number of Commissioners, as if the Word "Council" had been inserted therein instead of the Word "Commissioners."

Accounts of Receipts and Disbursements to be kept, audited, and published.

XVII. And be it enacted, That the said Treasurer shall, in Books to be kept for that Purpose, enter true Accounts of all Sums of Money by him received and paid, and the Books of Account shall at all reasonable Times be open to the Inspection of any of the Aldermen or Councillors of the said Borough; and such Treasurer shall, before the First Day of *February* in every Year, transmit to the Lord Lieutenant a Statement of such Receipts and Expenditure, which Statement shall be prepared in such Form and Manner as the said Lord Lieutenant shall direct, and such Account shall refer and be made up to the Audit next before the First Day of *January* of the Year

Year in which such Account is hereby required to be so transmitted; and all the Accounts, with all Vouchers and Papers relating thereto, shall, in the Months of *March* and *September* in every Year, be submitted by the Treasurer of the Borough to the Auditors provided to be elected in pursuance of an Act passed in the Session holden in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, and to such Member of the Council as the Mayor shall name, in pursuance of the said last-mentioned Act, on the First Day of *March* in every Year, or in case of extraordinary Vacancy within Ten Days next after such Vacancy, for the Purpose of being examined and audited from the First Day of *September* in the Year preceding to the First Day of *March*, and from the First Day of *March* to the First Day of *September* in the Year in which the said Auditors were elected and named; and if the said Accounts shall be found to be correct the Auditors shall sign the same; and after such Accounts shall be so examined and audited, in the Month of *September* in every Year, the Treasurer shall make out in Writing, and shall cause the same to be printed, a full Abstract of the Account for the Year, and a Copy thereof shall be open to the Inspection of every Mortgagee and other Creditor of the said Lord Mayor, Aldermen, and Burgesses, by virtue of this Act or the said recited Acts, or any of them, hereby repealed, and to all the Rate-payers of such Borough, and Copies thereof shall be delivered to all such Persons applying for the same, on Payment of One Shilling for each Copy: Provided always, that the said Town Council may award such Salary to the Auditors as, having regard to the Duties hereby imposed on them, to the said Town Council shall seem just and reasonable.

3 & 4 Vict. c. 108.

Power to make Bye Laws.

XVIII. And be it enacted, That the said Lord Mayor, Aldermen, and Burgesses may from Time to Time make such Bye Laws as they think fit for the several Purposes of this Act, and of any Act incorporated therewith, and from Time to Time repeal, alter, or amend any such Bye Laws, provided such Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, or the Provisions of this Act, and be reduced into Writing, and have affixed thereto the Common Seal of the said Lord Mayor, Aldermen, and Burgesses; and that the said Lord Mayor, Aldermen, and Burgesses, by the Bye Laws so to be made by them, may impose such reasonable Penalties as they shall think fit, not exceeding Forty Shillings for each Breach of such Bye Laws: Provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby is sought to be recovered to order the whole or Part only of such Penalty to be paid, or to remit the whole Penalty; provided also, that the said Lord

Mayor, Aldermen, and Burgesses shall be and they are hereby required to make such Bye Laws within Six Calendar Months after the Commencement of this Act.

Bye Laws not to be in force until confirmed by Lord Lieutenant.

XIX. And be it enacted, That no Bye Law made under any of the Powers for that Purpose herein or in any Act incorporated herewith contained (except such as relate only to the Officers and Servants of the said Lord Mayor, Aldermen, and Burgesses,) shall be of any Force until the Expiration of Forty Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the Lord Mayor, Aldermen, and Burgesses, to the Lord Lieutenant of *Ireland*, and shall have been published once in the *Dublin Gazette* and in Two of the Newspapers circulating within the Borough of *Dublin*; and if at any Time within the said Period of Forty Days the said Lord Lieutenant, by and with the Advice of Her Majesty's Privy Council in *Ireland*, shall disallow the same Bye Laws or any Part thereof, such Bye Laws, or Part thereof disallowed, shall not come into operation: Provided also, that it shall be lawful for the said Lord Lieutenant, with the Advice of the said Privy Council, at any Time within the said Period of Forty Days, to enlarge the Time within which any Bye Law (if allowed) shall come into force, and no such Bye Law shall in that Case come into force until after the Expiration of such enlarged Time.

Evidence of Bye Laws.

XX. And be it enacted, That a Copy of any such Bye Law, under the Seal of the Lord Mayor, Aldermen, and Burgesses, with a Declaration thereon, signed by the Lord Mayor of the Borough, that the same hath been sent, sealed as aforesaid, to the said Lord Lieutenant, and published as aforesaid, and that no Part thereof hath been disallowed by such Lord Lieutenant, with the Advice of the said Privy Council, and that the same is in force, shall be received as Evidence of any such Bye Law, and of the sending and publishing thereof as aforesaid, in all Courts of Law and Equity, and before all Justices.

Bye Laws to be printed, affixed in Justice Rooms, and published.

XXI. And be it enacted, That all Bye Laws made in pursuance of this Act, or any Act incorporated herewith, except such as relate only to the Officers and Servants of the said Lord Mayor, Aldermen, and Burgesses, shall be printed, and a Copy thereof shall be affixed and continued in the usual Place of meeting of the Council, and in every Justice Room or Office in which any Justice shall sit for the Administration of Justice; and Copies of such Bye Laws shall be delivered by the Town Clerk to any Person who may apply for the same, on the Payment of such Sum as the Council shall think fit to fix as the Price of such Bye Laws.

XXII. And

Penalty on Town Clerk refusing to deliver Copies of Bye Laws.

XXII. And be it enacted, That if the Town Clerk shall not, upon the Payment or Tender of such Sum as the Council shall direct to be paid for the same, deliver to any Person applying for the same, at the Office of the Town Clerk, a printed Copy of all or any Bye Laws made in pursuance of this Act, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalty on Persons refusing Inspection of Bye Laws affixed in PoliceOffice.

XXIII. And be it enacted, That if the Person for the Time being having the Care of any Police Office or any Justice Room wherein any Justice shall sit for the Administration of Justice shall not permit the printed Copy of any Bye Laws affixed in such Office or Room to be inspected, at all reasonable Times, by any Person who may require to be permitted to inspect the same, the Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Power for Council to borrow on Mortgage or Bond.

XXIV. And be it enacted, That it shall be lawful for the Council to borrow for the Purposes of this Act on Mortgage or Bond any Sums not exceeding in the whole the Sum of One hundred thousand Pounds, on the Security of the Rates by this Act authorized; and for securing the Repayment of the Monies so to be borrowed, with Interest, the Council may mortgage the Rates or any Part thereof respectively by this Act authorized to be raised to the Person or Persons who shall advance or lend such Money, or his Trustees, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same.

Council not to make any Rates except those authorized by 3 & 4 Vict. c. 108. and this Act.

XXV. Provided always, and be it enacted, That, save and except any Borough Rate to be raised and levied pursuant to the Provisions and for the Purposes of the said recited Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, it shall not be lawful for the said Council, by virtue of or under the Provisions of any Act incorporated in this Act, to make, assess, or levy any Rates or Sums of Money, other than the Rates and Sums authorized to be made, assessed, and levied under the Provisions of this Act.

Council not to apply Money to any Purpose other than that for which it was borrowed.

XXVI. Provided also, and be it enacted, That it shall not be lawful for the Council to apply any Portion of the Sum of One hundred thousand Pounds borrowed on the Security of any Rate to be made under the Provisions of this Act, save to the Purposes for which such Rate has been made.

XXVII. And

XXVII. And be it enacted, That it shall and may be lawful for the Exchequer Bill Loan Commissioners to lend and advance to the Council the said Sum of One hundred thousand Pounds, or any Part thereof, upon One or more Mortgage or Mortgages of the Rates, Rents, and Duties and other Properties hereby vested in the said Council, with Interest at such Rate as shall be agreed upon, to be applied by the said Council in buying up, paying off, and absolutely extinguishing the several Debts heretofore created by the Commissioners for making wide and convenient Streets in the City of *Dublin*, and the Residue of said Sum to be applied to the Execution of the Works hereby authorized to be made.

Power to Exchequer Bill Loan Commissioners to lend or advance Money on Mortgage.

XXVIII. And be it enacted, That it shall be lawful for the Mortgagees of the Council to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgage by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Monies or Interest due on such Mortgages not being duly paid, the Amount owing to the Mortgagees by whom the Application for a Receiver shall be made shall not be less than Five thousand Pounds in the whole.

Arrears of Principal and Interest may be enforced by Appointment of Receiver.

XXIX. And be it enacted, That every such Mortgage shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be under the Common Seal of the Lord Mayor, Aldermen, and Burgesses, and may be according to the Form in Schedule (A.) to this Act annexed, or to the like Effect.

Form of Mortgage.

XXX. And be it enacted, That all Persons to whom such Mortgages shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates equally one with another, without any Preference in respect of the Priority of advancing such Monies, or the Dates of any such Mortgages respectively.

Mortgages to be without Preference.

XXXI. And be it enacted, That it shall be lawful for the Council to raise all or any Part of the Money borrowed for the Purposes of this Act by granting Annuities for Lives, instead of Mortgages as aforesaid, and for that Purpose the Council may charge the Rates granted by this Act with an Annuity, to determine on a Life or Lives in being, in favour of any Person who shall advance to the Council any Sum of Money for the Purchase of the same.

Council may raise Money by Annuity.

XXXII. And be it enacted, That every such Grant of Annuity shall be by Deed duly stamped, in which the Consideration shall be truly stated, and shall be made under the Common Seal of the Lord Mayor,

Form of Grant of Annuity.

Aldermen, and Burgesses, and may be in Form in Schedule (B.) to this Act annexed, or to the like Effect.

For preventing improvident Grants of Annuities.

XXXIII. And be it enacted, That for preventing improvident Grants of Annuities the Price to be paid for any such Annuity shall not be less than the Price of a similar Annuity paid by Law for such Annuity granted by the Commissioners for the Reduction of the National Debt.

Annuities to rank after Mortgages.

XXXIV. And be it enacted, That every such Annuity so granted shall be paid out of the Rates vested in the Lord Mayor, Aldermen, and Burgesses by virtue of this Act, according to the Grant of such Annuity, and shall have Priority after any Mortgages granted under this Act.

Expenses of Mortgages and Annuities.

XXXV. And be it enacted, That the Expenses of every Mortgage and Grant of Annuity shall from Time to Time be defrayed by the Council out of the Monies raised by the same, or the Rates on the Credit of which such Monies shall be raised.

Register of Mortgages and Annuities to be kept, and to be open to Inspection.

XXXVI. And be it enacted, That a Register of such Mortgages and Annuities shall be kept by the Town Clerk, and within Fourteen Days after the Date of any such Mortgage or Annuity an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all seasonable Times by any Person interested therein, without Fee or Reward.

Transfer of Mortgages and Annuities.

XXXVII. And be it enacted, That from Time to Time any Party entitled to such Mortgage or Annuity may transfer his Right and Interest therein to any other Person by a Deed duly stamped, wherein the Consideration shall be truly stated, and may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

A Register of Transfers to be kept.

XXXVIII. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Town Clerk, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Annuity, and for such Entry the Town Clerk may demand the Sum of Two Shillings and Sixpence; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Annuity in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Mortgage or Annuity so transferred, or any Sum thereby secured.

XXXIX. And

Interest on Mortgages to be paid half-yearly.

XXXIX. And be it enacted, That, unless otherwise provided by any Mortgage, the Interest of the Money borrowed upon every such Mortgage shall be paid half-yearly to the several Parties entitled thereto.

Fiscal Powers of Grand Jury and Sessions Grand Jury in the Borough of Dublin to cease;

XL. And whereas the Powers of presenting and levying Rates or Cesses for divers local Purposes are now vested in the Grand Jury of the County of the City of *Dublin* and in the Sessions Grand Jury of the City of *Dublin*, and it is expedient that the same Powers, so far as they relate to Matters to be done within the Borough of *Dublin*, should be transferred to the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*: Be it therefore enacted, That on and after the Day on which this Act shall come into operation all the Powers and Duties of the said Grand Jury of the County of the City of *Dublin* and the said Sessions Grand Jury of the City of *Dublin*, in relation to the presenting and levying of Rates or Cesses as aforesaid, shall cease and determine within the said Borough.

and to be transferred to Corporation.

XLI. And be it enacted, That from the Time aforesaid all the Powers theretofore exercised by or vested, in relation to the presenting and levying of Rates or Cesses for local Purposes within the Borough of *Dublin*, in the said Grand Jury and the said Sessions Grand Jury, shall be transferred to and be solely exercised by the Council of the said Borough, and all things by any Act theretofore in force authorized or required to be done by the said Grand Jury of the County of the City aforesaid and of the said Sessions Grand Jury, in relation to the said Fiscal Matters, Rates, or Cesses, shall, save where altered by this Act, be done by the said Council.

Mode of proceeding.

XLII. And be it enacted, That the Council of the said Borough shall fix a Time, once in every Year, to receive Applications for all things now authorized to be done by the said Grand Jury of the County of the City of *Dublin* or the said Sessions Grand Jury, in relation to Fiscal Matters, Rates, or Cesses within the Borough of *Dublin*, and such Applications shall be made in like Form as the same are now authorized to be made in Cases of Applications for Presentments; and immediately after the Day so fixed for receiving such Applications the Council shall proceed to investigate such Applications, and decide upon them at an open Meeting of the said Council, or of a Committee thereof authorized in that Behalf.

Schedule of Applications to be lodged with Clerk of Crown and Clerk of the Peace.

XLIII. And be it enacted, That a Schedule of such Applications as may be agreed to with respect to the said Grand Jury Cess shall be made out by the Town Clerk, who shall lodge the same, Two clear Days before the First Day of *Hilary* Term in the Year One thousand eight

eight hundred and fifty-one, and Two clear Days before the First Day of *Michaelmas* Term in the said Year One thousand eight hundred and fifty-one, and Two clear Days before the First Day of *Michaelmas* Term in every succeeding Year, with the Clerk of the Crown of the Court of Queen's Bench; and a Schedule of such Applications as may be agreed to with respect to the said Sessions Grand Jury Cess shall be made by the said Town Clerk, who shall lodge the same, Two clear Days before the First Day of the *January* Quarter Sessions of the Peace held for the City of *Dublin* in the Year One thousand eight hundred and fifty-one, and Two clear Days before the First Day of the *October* Quarter Sessions of the Peace held for the City of *Dublin* in the said Year One thousand eight hundred and fifty-one, and Two clear Days before the First Day of the *October* Quarter Sessions in every succeeding Year, with the Clerk of the Peace for the City of *Dublin*; and thereupon it shall be lawful for the said Court of Queen's Bench, or any Judge of the said Court, and the Recorder of the City of *Dublin* respectively, to fix Days for the Consideration of the said Presentments, and on such Days at least Twenty Members of the said Council shall attend the said Court or Judge or Recorder respectively, and the said Court or Judge or Recorder respectively, after hearing all Parties affected by or interested in such Presentments, shall make such Orders therein, and shall allow or disallow the same or any of them, or any Portions thereof, as to the said Court or Judge or Recorder respectively shall seem fit, and shall fiat the same or any Portions thereof, according as the same shall be allowed, either by the full Court or by One of the Judges thereof or the Recorder respectively: Provided always, that it shall be lawful for any Rate-payer to traverse any Presentment made by the said Council, or to object to the same being fiated, and such Traverse or Objection shall be heard and determined by the said Court or Judge or Recorder respectively on a Day to be fixed for considering and fiating the same; and it shall be lawful for the said Court of Queen's Bench and Recorder respectively to make Orders from Time to Time to regulate the Reception of the said Traverses, and the Mode of Procedure thereupon, and to order Juries to be impannelled for the Trial thereof, as they are now in such Cases authorized: Provided also, that in case Twenty Members of the said Council shall not attend the said Court or Judge or Recorder respectively as aforesaid, it shall be lawful for the said Court or Judge or Recorder to proceed to hear and determine such Matters as shall be brought before such Court or Judge or Recorder respectively in like Manner as if such Twenty Members were then present, and the said Court or Judge or Recorder shall have Power to inflict such Penalty on the Council, not exceeding Ten Pounds, for Nonattendance, as such Court or Judge or Recorder respectively shall think fit.

Presentments made by Town Council may be traversed.

XLIV. And

Rejected Application may be made before the Court or Recorder, and granted by them.

XLIV. And be it enacted, That in case any Application shall not be sanctioned by the said Council, the Party making such Application shall be at liberty (on giving Six Days Notice of his Intention so to do) to bring the same before the said Court or Judge or Recorder respectively, at the Time of fiating the said Presentments; and if it shall appear to the said Court or Judge or Recorder respectively that such Presentments should have been made, the same shall be added to the Schedules sent in by the Town Clerk.

When fiated to be raised by a Rate.

XLV. And be it enacted, That so soon as all Objections or Traverses have been disposed of, and the new Presentments (if any) have been added, the said Schedules shall be signed by the Clerk of the Crown and the Clerk of the Peace respectively, and shall by them be transmitted to the Town Clerk, who shall lay the same before the Council, and thereupon the said Council shall raise, and they are hereby required so to do, the Amount of the several Sums mentioned in the said Schedules by a Rate, pursuant to the Provisions of this Act and the Acts now for such Purposes in force.

Property of Grand Jury and Sessions Grand Jury to vest in Corporation.

XLVI. And be it enacted, That all Arrears of Rates, and the Property in the Borough now vested in the Grand Jury of the County of the City of *Dublin* and the Sessions Grand Jury of the City of *Dublin*, or any of their Officers, shall, immediately after this Act comes into operation within the Borough, vest in the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*.

Contracts made by or with the Grand Jury or Sessions Grand Jury to be good.

XLVII. And be it enacted, That all Contracts heretofore made by or with the Grand Jury of the County of the City of *Dublin* and the Sessions Grand Jury of the City of *Dublin* shall be enforced by or against the Lord Mayor, Aldermen, and Burgesses of *Dublin*, after this Act shall come into operation, so far as the same relates to Matters to be done with the Borough.

Treasurer of Borough to pay Expenses of Witnesses, &c., by Order of Judges of Commission, and Recorder.

XLVIII. And whereas under and by virtue of an Act passed in the Fifty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the Payment of Costs and Charges to Prosecutors and Witnesses in Cases of Felony in* Ireland, the Treasurer of Public Money of the County of the City of *Dublin* is required to pay certain Expenses of Prosecutors and Witnesses: And whereas by the Transfer of the Fiscal Powers of the Grand Jury and Sessions Grand Jury in the Borough of *Dublin* to the Lord Mayor, Aldermen, and Burgesses of the said Borough, the Duties of the said Treasurer will cease; and it is expedient that the same Duties should be performed hereafter by the Treasurer of the Borough of *Dublin*: Be it therefore enacted, That from and after the Commencement of this

this Act the Treasurer of the Borough of *Dublin* shall, subject to the Provisions of the said last-recited Act, perform all the Duties in respect to the Payment of Prosecutors and Witnesses Expenses which shall have been theretofore done and performed by the Treasurer of Public Monies of the County of the City of *Dublin* in respect to the same, anything in the said Act contained to the contrary notwithstanding.

Treasurer of Borough to stand on the same Relation to the Claims of Her Majesty's Exchequer as the Treasurer of Grand Juries formerly stood.

XLIX. And whereas divers Sums of Money have been advanced from Time to Time from Her Majesty's Exchequer by the Direction or Authority of the Commissioners of Her Majesty's Treasury, or of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for public Purposes of the County of the City of *Dublin*: And whereas the Lord Mayor, Aldermen, and Burgesses of *Dublin* are by this Act authorized to exercise all the Powers heretofore exercised by or vested, in relation to the presenting and levying of Rates or Cesses for local Purposes within the Borough of *Dublin*, in the Grand Jury and the Sessions Grand Jury; and it is expedient that the like Duties should be imposed upon the Treasurer of the Borough of *Dublin* with respect to the Claims of Her Majesty's Exchequer as were imposed on the Treasurer of the Grand Juries aforesaid in relation to such Claims before the Commencement of this Act: Be it therefore enacted, That the Amount of any Sum presented by the Council for the Purpose of repaying such Advances as aforesaid shall be paid by the Treasurer of the said Borough of *Dublin* out of such Public Money, Rates, and Cesses as shall be by him received in respect of such Presentments (so far as the same shall extend), when and as soon as the same shall come to his Hands, in priority and preference to any other Lien, Charge, Demand, or Claim upon the same whatsoever; and such Treasurer shall pay over the said Amount in such Manner and to such Bank or Person as the Commissioners of Her Majesty's Treasury shall direct.

Penalty on Treasurer withholding Monies due to the Exchequer.

L. And be it enacted, That if in any Case the Treasurer of the said Borough for the Time being shall neglect or refuse to pay any Sum of Money presented for the Repayment of Advances made as aforesaid, or any Sums or Instalments of such Sums presented as aforesaid, in priority and preference to any other Lien, Charge, Demand, or Claim whatsoever upon the Money in his Hands in respect of such Presentments, such Treasurer shall for each such Neglect or Refusal forfeit the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Dublin*.

After Commencement of this Act

LI. And whereas an Act was passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An*

Act for consolidating and amending the Laws relating to Prisons in Ireland, and another Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for converting the* Richmond *General Penitentiary into One of the Prisons for the County of the City of* Dublin, *and to amend the Law relating to Prisons in* Ireland: And whereas, under the Provisions of the said Act or Acts, the Grand Jury of the County of the City of *Dublin* are authorized and required to appoint a Board of Superintendence of Prisons within the County of the City of *Dublin*: And whereas it is expedient that the Council of the City of *Dublin* should appoint the said Board of Superintendence instead of the said Grand Jury: Be it therefore enacted, That from and after the Tenth Day of *January* next after the Commencement of this Act all the Powers of the said Grand Jury in respect to the Appointment of the said Board of Superintendence shall cease and determine, and thereupon, and on the Tenth Day of *January* in each succeeding Year, the said Council are hereby authorized and required to appoint Twelve Persons, being Burgesses of the City of *Dublin*, One Half of whom at least shall be Justices of the Peace for the County of the said City, to be a Board of Superintendence of every Gaol, Bridewell, House of Correction, or other Prison within the said County of the said City, supported in part or in the whole by Grand Jury Presentment, and not being a Portion of a different County; and the said Council shall and they are hereby required to lay a Copy of their half-yearly Reports before the Judges of the Court of Queen's Bench at the *Trinity* and *Hilary* Terms in every Year; and all the Powers, Duties, Regulations, Authorities, Clauses, and Provisions in the said last-recited Acts or any other Act contained with respect to such Board of Superintendence, save as to such of the Provisions thereof as are or may be inconsistent with the Provisions of this Act, shall be incorporated with and form Part of this Act, and shall be applicable to the Board of Superintendence to be appointed under the Provisions of this Act.

Council to appoint a Board of Superintendence of Prisons. 7 G. 4. c. 74. 6 & 7 W. 4. c. 51.

LII. And whereas it is expedient that the Clerk of the Peace of the County of the City of *Dublin* should be paid from henceforth by a fixed Salary, in lieu of Fees and Emoluments heretofore paid by virtue of Grand Jury Presentment or otherwise, and that the Fees and Emoluments now arising or which shall at any Time hereafter arise from the Business of the said Office, or incident thereto, shall be paid into the Borough Fund of the said Borough: Be it therefore enacted, That from and after the Commencement of this Act the Salary of the Clerk of the Peace for the County of the City of *Dublin* shall be fixed at the Sum of Eight hundred Pounds *per Annum*; and that the said Clerk of the Peace shall be enabled to employ One Chief and

Clerk of the Peace of the City of Dublin hereafter to be paid by Salary.

and One Assistant Clerk, removable at his Pleasure, to aid in the Discharge of the Duties of the said Office, and that the Salary of such Chief Clerk shall be fixed at the Sum of One hundred Pounds *per Annum*, and the Salary of such Second Clerk shall be fixed at the Sum of Seventy-five Pounds *per Annum*; and that the said Clerk of the Peace shall also receive the Sum of One hundred and twenty-five Pounds *per Annum* for all other annual Expenses incidental to the said Office and the Duties thereof, of every Nature and Kind whatsoever; and that *Robert Dickenson* Esquire, the present Clerk of the Peace, shall, so long as he shall continue to hold the said Office, be entitled to receive the said annual Salary of Eight hundred Pounds and the said annual Sum of One hundred and twenty-five Pounds, and his Chief Clerk for the Time being shall be entitled to receive the said annual Salary of One hundred Pounds, and his Second Clerk for the Time being shall be entitled to receive the said annual Salary of Seventy-five Pounds, which said several Sums shall be respectively paid them in full and complete Satisfaction and Remuneration for all the Duties and Services to be done and performed in the Office of the said Clerk of the Peace, or incidental thereto, and for all Expenses which shall be incurred in the Execution of the same.

R. Dickenson, Esq., to retain Fees until Salary is paid under this Act.

LIII. And be it enacted, That the said *Robert Dickenson* Esquire shall be entitled and is hereby authorized to retain, out of the Fees and Emoluments which shall have come into his Hands as Clerk of the Peace since his Appointment to the said Office, or which shall come into his Hands in respect of such Office at any Time before the Commencement of this Act, such Sum of Money as shall be sufficient to pay him his said Salary of Eight hundred Pounds, and the said Sum of One hundred and twenty-five Pounds, and the said Sums of One hundred Pounds and Seventy-five Pounds, or such Proportion thereof as shall be equivalent to the Salary and Allowances hereinbefore mentioned, from the Period of his Appointment to his said Office until his said Salary and Allowance, and the Salaries of his Clerks, as aforesaid, shall first become due and payable under the Provisions of this Act, and shall account for and pay the Balance, if any, to the Treasurer of the said Borough.

Salaries to be included in Schedule, and to be paid half-yearly.

LIV. And be it enacted, That the said Council are hereby required annually to include in the said Schedule of Applications the several Sums of Eight hundred Pounds, One hundred and twenty-five Pounds, One hundred Pounds, and Seventy-five Pounds aforesaid, and to pay the same to the said Clerk of the Peace in Two equal half-yearly Payments on the Fifth Day of *January* and the Fifth Day of *July* in each Year respectively, and the same shall be one of the Presentments to be made and payable every Year under this Act.

LV. And

Penalty on Clerk of the Peace accepting Money, &c. for the Appointment of Clerks.

LV. And be it enacted, That it shall not be lawful for the Clerk of the Peace to accept of any Sum of Money or Security for Monies, or to stipulate for or receive any Share or Proportion of the Profits of the said Offices of Chief or Assistant Clerk respectively, or receive any other valuable Consideration whatever, as and for a Consideration for the Appointment of any Person whatsoever to the said respective Offices; and if any Clerk of the Peace shall herein offend, contrary to the Provisions of this Act, he shall for every such Offence forfeit the Sum of One hundred Pounds, and shall also forfeit his said Office.

Clerk of Peace to keep an Account of Fees received by him, and hand the same to Treasurer of Borough.

LVI. And be it enacted, That from and after the Commencement of this Act the Clerk of the Peace of the said County of the City of *Dublin* shall keep an Account of all Sums received by him for and on account of Fees for the Duties and Services of the said Office, and shall in the Month of *December* in every Year lay such Account before the Council of the said Borough, and shall verify the same on Oath, and shall hand over the Amount of Fees so received by him to the Treasurer of the said Borough.

Council may contract for printing Lists of Voters, &c., and include Expense in Presentments.

LVII. And be it enacted, That it shall be lawful for the said Council, from and after the Commencement of this Act, to contract for the annual Printing of all Registry Books, and Lists of Applications of Persons to be registered, and Lists of registered Voters, as are or shall be required to be printed by the several Acts now in force to regulate the Elections for Members to serve in Parliament for *Ireland* for the said County of the City of *Dublin;* and the said Council are hereby required to include in their Lists of Presentments all such Sum or Sums of Money as may be necessary to defray the Expenses of same, together with the Expense of the Manuscript Lists for said Printing, to be paid to the Person or Persons so contracting or executing same as aforesaid.

Powers of 3 & 4 Vict. c. 58. relating to Poddle River to be transferred to Council.

LVIII. And whereas by an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act to amend the Acts relating to the River* Poddle *in the County and City of* Dublin, it was provided that all the Powers and Authorities belonging under the Acts recited therein to the Commissioners constituted thereunder should cease to be exercised by the said Commissioners, and should be thenceforward transferred to and vested in the Commissioners for paving, cleansing, and lighting the Streets of *Dublin:* And whereas it is expedient that the Powers and Authorities vested in the Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, under the Provisions of the said Act, should be transferred to and vested in the Right Honourable the Lord Mayor,

Aldermen, and Burgesses of *Dublin*: Be it therefore enacted, That from and after the Commencement of this Act all the Powers, Rights, Duties, and Authorities transferred to, imposed upon, and vested in the said Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, under the Provisions of the said Act, shall cease to be exercised by the said Commissioners, and shall be thenceforward transferred to, imposed upon, and vested in the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*; and all the Clauses and Provisions in the said Act contained, save as to such of the Provisions thereof as are or may be inconsistent with the Provisions of this Act, shall be incorporated with and form Part of this Act, and shall be construed as if the Expression "The Lord Mayor, Aldermen, and Burgesses of *Dublin*" had been inserted therein, instead of the Words "Commissioners for paving, cleansing, and lighting the Streets of *Dublin*," or, where any Act is required or authorized to be done by or to a certain Number of Commissioners, as if the Word "Council" had been inserted therein instead of the Word "Commissioners."

Property to vest in Lord Mayor, Aldermen, and Burgesses.

LIX. And be it enacted, That all the Estates and Effects, Real and Personal, and all Debts, Dues, and all Penalties of or belonging to or recoverable by the said Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, under the Provisions of the said last-recited Act, shall from and after the Commencement of this Act be vested in and recoverable by the said Lord Mayor, Aldermen, and Burgesses of *Dublin*, who shall have all such Remedies for recovering the said Debts, Dues, and Penalties respectively as the said Commissioners would have had if this Act had not been passed; and all Debts due by the said Commissioners shall be borne and paid by the said Lord Mayor, Aldermen, and Burgesses out of the Monies to be raised and levied by virtue of this Act; and the said Commissioners and their Officers shall deliver over to the said Lord Mayor, Aldermen, and Burgesses all Assessments, Valuations, Contracts, Books, and other Documents relating to the several Purposes of the said last-recited Act.

Power to purchase Lands.

LX. And be it enacted, That, subject to the Provisions of this Act, it shall be lawful for the Council to agree with the Owners of any Lands within the Limits of this Act which they may require for the Purpose of opening and making more convenient Communications, Ways, or Streets, and of widening, improving, altering, or diverting any existing Ways or Streets, or for other the Purposes of this Act, for the absolute Purchase of any such Lands, or such Parts thereof as they shall think proper, and the Lands so purchased shall be laid into the said Ways or Streets, or otherwise appropriated for the Pur-

poses aforesaid as the Council shall think fit, and all such Ways or Streets, when and as soon as the same shall be so formed, widened, or improved, shall be deemed public Streets or Ways.

8 & 9 Vict. c. 18. incorporated with this Act.

LXI. And be it enacted, That the "Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act: Provided always, that nothing in the said "Lands Clauses Consolidation Act" contained shall authorize the Council to purchase, take, or use any Lands, unless with the Consent of and by Agreement with the Owners and Occupiers thereof.

10 & 11 Vict. c. 34. incorporated with this Act.

LXII. And be it enacted, That "The Towns Improvement Clauses Act, 1847," shall (save so far as it is expressly varied or excepted by or is inconsistent with this Act) be incorporated with and form Part of this Act.

Power to Council to cause Streets, &c. to be paved, &c.

LXIII. And be it enacted, That the Council shall and may, subject to the Provisions of this Act, and of the Acts and Clauses of Acts incorporated herewith, cause to be paved, drained, lighted, cleansed, watered, and otherwise improved the Borough of *Dublin*, and do all necessary Acts for promoting the Health and Convenience of the said Borough, and for that Purpose may exercise all the Powers vested in them by this Act and the Acts incorporated herewith.

Owners possessing Freehold of Courts, &c. to pave the same.

LXIV. And be it enacted, That whenever the Freehold of any Court, Passage, or public Place, not being a Thoroughfare, shall be vested in the Owner of any adjoining House, the paving of such Court, Passage, or public Place shall be done by such Owner.

Owner of Courts to flag them, and keep the Flagging in repair.

LXV. And be it enacted, That the Owner of any such Court, Passage, or public Place, not being a Thoroughfare, shall, to the Satisfaction of the Council, sufficiently pave the same, and lay, at a proper Level, through, over, or along such Part thereof as the Council may require, a Channel or Gutter, and keep such Pavement and Channel or Gutter in good Repair to the Satisfaction of the Council; and if any such Owner of any Court, Passage, or public Place, not being a Thoroughfare, shall not sufficiently pave the same as aforesaid, or shall not lay down therein such Channel or Gutter, or shall not repair and keep the same respectively in good Repair to the Satisfaction of the Council, within Fourteen Days after Notice in Writing requiring him so to do shall have been given to him by the Council, it shall be lawful for the Council to cause such Court, Passage, or public Place to be paved, or such Channel or Gutter to be laid down, or, as the Case may be, to be repaired and put into good Order, and to levy and

and recover the Costs and Expenses thereof from such Owner in the Manner by this Act provided.

Power for Council to contract with any Company for restoring Pavements.

LXVI. And be it enacted, That it shall be lawful for the Council to contract and agree, for any Term not exceeding Three Years, with any Company or Person authorized to take up any of the Pavements or other formed Surface of any of the Streets within the City of *Dublin*, for the filling-in, paving, and restoring of such Parts of the said Streets as shall be from Time to Time required to be taken up for the Purpose of enlarging, altering, or repairing any Pipes or other like Purpose.

Certain Provisions of 10 & 11 Vict. c. 15. incorporated with this Act.

LXVII. And be it enacted, That the Clauses of "The Gasworks Clauses Act, 1847," with respect to the breaking up of Streets for the Purpose of laying Pipes, and with respect to the Provision for guarding against fouling Water or other Nuisance from Gas, shall be incorporated with this Act; and the Expression "the Undertakers," in the said "Gasworks Clauses Act," shall, in reference to this Act, mean and include any Person whom the Council may contract with or employ to supply any Gas within the Limits of this Act.

Power for Council to charge Places not within Sewerage District, but deriving Benefit from Works, with Part of the Expense of Construction.

LXVIII. And whereas in the Construction and Enlargement of the Sewers and Drains, or some of them, within the said Borough, under the Powers of this Act, it may be deemed by the Council expedient to construct and enlarge some of such Sewers and Drains, or some Part thereof, of such Size, Capacity, and Strength, and in such Situation, Manner, and Form, in One or more of the Sewerage District or Districts, or in some other Parts of the said Borough, as may be sufficient, not only for the Wants and Exigencies of such Districts or other Parts of the said Borough, but also for the Purpose of promoting and facilitating efficient Drainage and Sewerage of and in other Sewerage District or Districts or other Parts of the said Borough, and it may in such Case be deemed by the Council proper and equitable to charge such other District or Districts, or other Parts of the said Borough, which in the Judgment of the Council may derive Benefit or Advantage therefrom, with the Payment of the extra Expense, or some Part thereof, which may have been incurred in constructing, enlarging, maintaining, repairing, and cleansing such Sewers and Drains as aforesaid, in manner and subject as herein-after mentioned: Be it therefore enacted, That if at any Time the Council shall be of opinion that any Expense which may have been incurred by any Drainage District by this Act formed within the said Borough, which shall have been defrayed by or charged upon the District Sewer Rate levied and collected therein respectively, in making, constructing, maintaining, repairing, or cleansing

cleansing any Sewer or Sewers of a Size, Capacity, Strength, or otherwise as aforesaid, and any Benefit and Advantage shall thereby be derived or conferred by or to any Drainage District within the said Borough, by reason of such last-mentioned District opening into or communicating with any such Sewer or Sewers which may have been made and constructed as aforesaid, it shall be lawful for the Council in any of the Cases aforesaid (if they shall in their Discretion deem it proper and equitable so to do) from Time to Time to order and direct the District which shall by the Means and in manner aforesaid derive or receive any such Benefit or Advantage by the Facility of opening and communicating with and into such Sewer or Sewers, or otherwise, to pay in respect thereof such Sum or Sums of Money, at such Time or Times, and subject to such Terms and Conditions, as the Council shall think just and reasonable, which Sum or Sums of Money shall be applied by the Council in aid of the District Sewer Rate levied and collected within the Drainage District, and at whose Expense the said Sewer or Sewers shall be constructed, enlarged, maintained, repaired, and cleansed as aforesaid; and all such Monies which the Council shall think fit so to order and direct to be paid as aforesaid shall be a Charge upon the District Sewer Rate within and for any Drainage District which shall be so ordered and directed to pay such Money, and the same shall and may be levied and collected by the Authority of the Council in such Manner and by such Ways and Means as by this Act are authorized for making, levying, and collecting such Rates respectively.

Persons aggrieved by Orders of the Council may appeal.

LXIX. And be it enacted, That any Person liable to pay such Sum or Sums of Money as aforesaid, or otherwise aggrieved by any such Order of the Council relating thereto, may, at any Time within Seven Days next after the making of such Order, give Notice in Writing to the Council that he intends to appeal against such Order to the Divisional Justices of the District of *Dublin* Metropolis after the Expiration of Ten Days next after the Delivery of such Notice, and that, together with such Notice, he shall give a Statement in Writing of the Grounds of the Appeal; and such Divisional Justices, upon due Proof of such Notice having been given, shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying the same, and shall award such Costs to either of the Parties, as the said Divisional Justices, in their Discretion, shall think fit: Provided always, that the Appellant shall not be heard in support of such Appeal unless such Notice and Statement have been given, nor on the Hearing of such Appeal shall he go into Evidence of any other Grounds of Appeal than those set forth in such Statement as aforesaid.

Power to enter upon Lands for the Purposes of this Act.

LXX. And be it enacted, That in case it shall become necessary to enter, examine, or lay open any Lands or Premises for the Purpose of making Plans, surveying, measuring, taking Levels, examining Works, ascertaining the Course of Sewers or Drains, or ascertaining or fixing Boundaries, and the Owner or Occupier of such Lands or Premises shall refuse to permit the same to be entered upon, examined, or laid open for the Purposes aforesaid or any of them, the Council may, upon Notice to such Owner or Occupier, apply to Two Justices for an Order authorizing the Council and the Superintending Inspector, Surveyor and Inspector of Nuisances, or any of them, to enter, examine, and lay open the said Lands and Premises for the Purposes aforesaid or any of them; and if no sufficient Cause shall be shown against the same, the said Justices may make an Order authorizing the same accordingly, and thereupon the Council, any Superintending Inspector, the Surveyor and Inspector of Nuisances, and any Person authorized by the Council, or any such Superintending Inspector, Surveyor or Inspector of Nuisances, may, at all reasonable Times between the Hours of Ten in the Forenoon and Four in the Afternoon, enter, examine, or lay open the Lands or Premises mentioned in such Order, for such of the Purposes as shall be specified in the said Order, without being subject to any Action or Molestation for so doing: Provided always, that, except in case of Emergency, no Entry shall be made or Works commenced under the Powers of this Enactment, unless, Twenty-four Hours at the least previously thereto, Notice of the intended Entry, and of the Object thereof, be given to the Occupier of the Premises intended to be entered.

Provisions of 10 & 11 Vict. c. 14. incorporated with this Act.

LXXI. And be it enacted, That the "Markets and Fairs Clauses Act, 1847," shall (with the Exception of the Clause prohibiting Sales elsewhere than in Markets, and such other of the Clauses as are expressly varied by or are inconsistent with this Act,) be incorporated with and form Part of this Act.

Lord Mayor to be sole Clerk of the Markets in Dublin.

LXXII. And whereas the Lord Mayor of the City of *Dublin* is by Charter Clerk of the Markets within the said City: Be it therefore enacted, That the Lord Mayor for the Time being shall be the sole Clerk of the Markets of the Borough of *Dublin*, and shall have and enjoy all the Privileges of such Office, save so far as the same are altered by or inconsistent with this Act.

Powers of Clerk of the Markets.

LXXIII. And whereas Doubts have arisen respecting the Powers vested in the said Lord Mayor by right of his said Office of Clerk of the Markets of the Borough of *Dublin*, and it is expedient to remove the same: Be it therefore enacted, That it shall be lawful for the

the said Lord Mayor for the Time being, by virtue of such Office, from Time to Time to make such Bye Laws as he shall think fit for all or any of the following Purposes; that is to say,

For Inspection of the Markets in the said Borough:

For preventing Nuisances or Obstructions in the Market Places, or in the immediate Approaches thereto:

For keeping the Markets in a cleanly and proper State, and for removing Filth and Refuse at least Once in every Twenty-four Hours, and for requiring that they be provided with a sufficient Supply of Water, and preventing the Exercise of Cruelty therein:

For preventing the Use of false or defective Weights, Scales, or Measures:

For preventing the Sale or Exposure for Sale of unwholesome Provisions in the Markets, and for condemning and disposing of the same:

For preventing Frauds in the Hay, Straw, and other public Markets in the said Borough, and for authorizing the seizing, detaining, inspecting, or weighing (for the Detection or Prevention of Frauds) any Hay, Straw, Goods, or Wares exposed for Sale in any of the said Markets, or the Carts, Carriages, or Vehicles whereon the same may be laden:

And the said Lord Mayor may, from Time to Time as he shall think fit, repeal or alter any such Bye Laws; provided that such Bye Laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, or the Provisions of this Act, or any Act incorporated therewith; and such Bye Laws shall be reduced into Writing, under the Hand and Seal of the said Lord Mayor; and the said Lord Mayor by the said Bye Laws may impose such reasonable Penalties as he shall think fit, not exceeding Five Pounds for each Breach of such Bye Laws; provided always, that such Bye Laws be so framed as to allow the Justices before whom any Penalty imposed thereby is sought to be recovered to order the whole or a Part only of such Penalty to be paid, or to remit the whole Penalty; and such Bye Laws shall be confirmed, printed and published, and received as Evidence, and be subject to the same Regulations in all respects as the Bye Laws by this Act authorized to be made by the Lord Mayor, Aldermen, and Burgesses of the said Borough: Provided always, that all Penalties by this Act authorized or imposed relating to Markets shall be paid to the Guardians of the Poor of the Union in which the Offence shall have been committed.

Lord Mayor may appoint and remove Assistants.

LXXIV. And be it enacted, That it shall be lawful for the Lord Mayor for the Time being to appoint during Pleasure, and to remove, Assistants or Deputies to such Lord Mayor as such Clerk of the Markets,

Markets, and for the Council to pay such Assistants or Deputies such Salaries as the said Council shall think fit.

Act not to deprive Lord Mayor, &c. of Power of punishing Frauds.

LXXV. And be it enacted, That nothing in this Act contained shall be deemed or taken to deprive the Right Honourable the Lord Mayor, or the Lord Mayor and Council, of any Power with which he or they is or are at present invested with respect to the *Dublin* Markets, or to detect and punish Frauds within the said Borough.

Penalty for exposing for Sale unsound Meat or Provisions.

LXXVI. And be it enacted, That if any Butcher, Dealer in Meat, or other Person, shall keep, expose, or offer for Sale in his Shop, Stall, Warehouse, or on any Part of his Premises or other Place within the Limits of this Act, any unsound or unwholesome Meat, Fish, or other Provisions unfit for the Food of Man, adulterated or fraudulently made up, every Person so offending, and convicted of such Offence before Two Justices of the Peace, shall for every such Offence forfeit a Sum not exceeding Five Pounds; and such Meat, Fish, or other Provisions shall and may be seized, carried away, and dealt with in such Manner as the said Justices shall order and direct.

Power to search for and seize unwholesome Meat.

LXXVII. And whereas Meat, Fish, and other Provisions are frequently clandestinely kept, and sold to the Inhabitants of the said Borough for the Purpose of Human Food, at the Time such Meat is unfit to be eaten by Man, and there is great Difficulty in discovering the Person keeping and the Places in which such Meat is kept, and it is expedient to provide a Remedy for the same: Be it therefore enacted, That where it shall appear to any Justice, by Information on Oath or Affirmation, that there is reasonable Ground to suspect that any such Meat is kept or concealed within the Limits of this Act, it shall be lawful for such Justice to issue his Warrant to any Constable, or to any Officer of the Council, authorizing him, with proper Assistants, to enter any Building or Place in which such Meat shall be suspected to be kept or concealed, and to search for the same, and to break open any Doors for that Purpose; and if upon any such Search any Meat shall be found which shall be reasonably suspected to be unfit to be eaten by Man, such Constable or other Officer shall cause such Meat to be produced before any Two Justices with all convenient Despatch; and if it shall appear to such Justices, either upon View thereof or other good Proof, that such Meat is unfit to be eaten by Man, it shall be lawful for the Justices to order such Meat to be destroyed or otherwise disposed of as such Justices shall think fit; and if the Person in whose Possession or Premises such bad or unwholesome Meat shall be found shall not give some satisfactory Account of the Manner in which such Meat came into the Possession or Premises of such Person, and that the same was provided by and possessed by

him for some proper and lawful Purpose, it shall be lawful for such Justices (if they shall think fit) to adjudge that such Person shall pay any Sum not exceeding Five Pounds.

Council empowered to purchase existing Markets.

LXXVIII. And be it enacted, That it shall be lawful for the Council to purchase or take on Lease, with the Consent of the Owner or Owners thereof, any Land and Premises within the Limits of this Act which at the Time of the taking and leasing thereof shall be used as a Market or Markets, together with all Stalls, Standings, and other Conveniences and Approaches thereto, and all Rights now enjoyed by any Person for levying Tolls therein, and all Privileges and Franchises connected therewith, and also any Privileges or Rights of having and maintaining a Weighing Machine, and of weighing Commodities, and taking Tolls therefor, to which any Person is or may be entitled within the Limits of this Act, and from Time to Time to continue to appropriate and use, in as beneficial a Manner as the Person selling or demising the same could have done at the Time of the Sale or Demise thereof, the said Lands and Premises, or so much thereof as they may think expedient, as a Market or Markets, for the Purposes and subject as herein-after mentioned, and to appropriate and use the Residue of the said Land and Premises for any other of the Purposes of this Act, as to them may seem fit, and also to enjoy and use the same Privileges and Rights of having such Weighing Machine or Weighing Machines, and of weighing and taking Tolls, in as beneficial a Manner as the Person selling or leasing such Privileges and Rights could have done at the Time of the Sale or Demise thereof: Provided always, that nothing herein contained shall interfere with or prevent any Person or Persons from enjoying or erecting any Weighing Machine or Machines, or weighing for Hire at any Place within the said Borough, save in the Markets purchased by or belonging to the said Council.

Land for new Markets may be provided.

LXXIX. And be it enacted, That it shall be lawful for the Council, at any Time and from Time to Time, as they may think fit, to purchase, rent, and provide other Lands within the Limits of this Act to be appropriated and used as a Market or Markets, as herein-after mentioned.

Council empowered to provide Market Places.

LXXX. And be it enacted, That it shall be lawful for the Council to build and provide, upon the Land to be purchased, rented, or provided by them as herein mentioned, and for ever afterwards to maintain and improve, One or more Market Place or Market Places for the Sale of Cattle, Animals, and Provisions, and all other marketable Commodities, within the Limits of this Act, together with all Stalls, Standings, and other Conveniences, and suitable Approaches for all Persons resorting thereto, as the Council shall think fit.

Smithfield a free Market.

LXXXI. Provided always, and be it enacted, That the Market of *Smithfield* in the said Borough shall at all Times be and remain a free Cattle and Hay and Straw Market, and it shall not be lawful for the said Lord Mayor or Council to demand or take any Toll for the standing of any Beast or Animal, or Cart of Hay or Straw, exposed for Sale in the said Market.

Office of Weighmaster, created by Act of 4 Anne (I.) abolished.

LXXXII. And whereas an Act was passed in the Parliament of *Ireland* in the Fourth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act for regulating the Weights used in this Kingdom, and that Salt and Meal should be sold by Weight:* And whereas it is expedient that the said Act, so far as the same relates to the City of *Dublin*, should be repealed: Be it therefore enacted, That from and after the First Day of *January* One thousand eight hundred and fifty-one the said Act, so far as the same relates to the City of *Dublin*, shall be and the same is hereby repealed, and the Office of Weighmaster created under the said Act shall be and the same is hereby abolished: Provided always, that nothing herein contained shall affect or alter any Rights and Privileges now enjoyed by any Person or Persons under the Provisions of the said recited Act.

Nothing to affect existing Rights.

For Settlement of Claims of Weighmasters.

LXXXIII. And whereas certain Persons have heretofore claimed and still claim certain special Rights and Privileges to exercise the Office of Weighmasters of Hay and Straw in *Smithfield* or Borough Weighmaster: And whereas Disputes in reference to such Claims have led to frequent and expensive Litigation, and Breaches of the Peace: And whereas, with a view to prevent a Continuance of the same, the Council may deem it advisable to purchase all such Rights and Privileges, and all Weigh-houses and Weighing Machines in possession or occupation of such Persons: Be it therefore enacted, That it shall be lawful for the Council, subject to the Approval of the Lord Lieutenant, to purchase such Rights or Privileges, and to pay for the same by a Sum of Money in gross, or by way of Annuity, at the Option of and to be assessed by the said Council, and to be paid out of the Improvement Fund by this Act authorized.

Council may appoint Weighmasters in Smithfield.

LXXXIV. And be it enacted, That it shall be lawful for the Lord Mayor to appoint so many Persons as he may think necessary for the Purpose of weighing all such Hay and Straw in *Smithfield* as shall be brought to them for such Purpose; and that such Persons shall hold their Appointment during the Pleasure of the said Lord Mayor; and such Persons may charge such Fees as are authorized by this Act to be taken for weighing the same, and specified in Schedule (E.) to this Act annexed.

LXXXV. And

Weigh-masters and other Officers to be paid annual Salaries.

LXXXV. And be it enacted, That such Persons shall receive such yearly Salaries or Wages, to be fixed by the Council, as the said Council shall think fit; and such Persons shall not be entitled to retain any Fees received by them, but shall pay over the same to the Treasurer of the said Borough, to form Part of the Improvement Fund: Provided always, that the aggregate Amount of such Salaries or Wages shall not in any Case exceed the aggregate Amount of such Fees.

Power to provide Slaughter-houses.

LXXXVI. And be it enacted, That it shall be lawful for the said Lord Mayor, Aldermen, and Burgesses to provide such Slaughter-houses as shall from Time to Time be sufficient for the slaughtering of Cattle for the Supply of the said Borough and the Neighbourhood thereof.

Stallages or Rents to be taken for the Markets belonging to Corporation.

LXXXVII. And be it enacted, That it shall be lawful for the Lord Mayor, Aldermen, and Burgesses from Time to Time to demand, from any Persons occupying or using any Stand, Stall, Shed, Pen, or Place in any Markets belonging to them, or Buildings or Ground connected therewith, or bringing into such Markets or Buildings or Ground any marketable Commodities specified in the Schedule (D.) to this Act annexed, such Stallages, Rents, and Fees as the Lord Mayor, Aldermen, and Burgesses shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Fees specified in the said Schedule (D.)

Power to demand Rents for Use of the Cattle Market.

LXXXVIII. And be it enacted, That it shall be lawful for the Lord Mayor, Aldermen, and Burgesses from Time to Time to demand, in any Cattle Market belonging to them, from any Person bringing therein any Cattle or other live Stock specified in Schedule (D.) to this Act annexed, such Stallages, Rents, and Fees as the Lord Mayor, Aldermen, and Burgesses shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Fees specified in the said Schedule.

Charges for Use of Slaughter-houses.

LXXXIX. And be it enacted, That it shall be lawful for the Lord Mayor, Aldermen, and Burgesses to demand, from any Person slaughtering Cattle in any Slaughter-house belonging to them, such Charges as are in Schedule (D.) to this Act annexed.

Fees for weighing and measuring.

XC. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Weighing-houses or Places for weighing or measuring any Article sold in the Markets belonging to the Lord Mayor, Aldermen, and Burgesses, by Weight or Measure, from Time to Time to demand such Fees as the Lord Mayor, Aldermen, and Burgesses shall appoint, not exceeding in any Case the Amount set forth in the Schedule (D.) to this Act annexed.

XCI. And

Fees for weighing Carts.

XCI. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Carts in the Markets belonging to the Lord Mayor, Aldermen, and Burgesses, to demand, from the Person requiring the same to be weighed, such Fees as the Lord Mayor, Aldermen, and Burgesses may appoint, not exceeding in any Case the Amount set forth in the Schedule (D.) to this Act annexed, and such Fees shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Fees, &c. to form Part of the Improvement Fund.

XCII. And be it enacted, That all Fees received for or in respect of the weighing of Goods at any Weigh-house provided by the Council shall be duly accounted for by the Party who shall receive the same to the Treasurer of the Borough; and such Fees, together with all other Fees, Charges, Stallages, or Rents which may be paid for or on account of any new Markets or Slaughter-houses to be built or provided by the Council under the Provisions of this Act, shall be paid to the Treasurer of the Borough, and form Part of the "Improvement Fund."

Copies of Standard Weights and Measures purchased under Powers of 5 G. 4. c. 74. by Magistrates of Dublin to belong to the Corporation.

XCIII. And whereas Doubts are entertained as to whom the Copies of the Standard Weights and Measures purchased by the Magistrates of the City of *Dublin* under the Powers of an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, now belong: Be it enacted, That the same shall vest in and belong to the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, anything in the said Act, or any Act amending the same, to the contrary notwithstanding.

Lord Mayor, &c. empowered to examine Weights and Measures.

XCIV. And be it enacted, That it shall be lawful for the Lord Mayor, or his Assistant or Deputy, to enter, at all seasonable Hours, any Shop, Yard, or Store, and any Ship or other Vessel, or any Place within his Jurisdiction, where Goods, Provisions, or Merchandize shall be kept for Sale, weighed, or measured, or shall be kept for Conveyance or Carriage, and there to examine all Weights and Measures, and to compare the same with Copies of the Imperial Standard Weights and Measures in the Custody of the Lord Mayor; and if upon such Examination it shall appear that any of the said Weights and Measures are incorrect or unjust, the same shall be seized, and, on being condemned by the Lord Mayor, forfeited and broken up, and on Sale thereof the Proceeds thereof shall be placed to the Credit of the Borough Fund, and the Owner thereof shall be liable to a Penalty not exceeding Five Pounds.

XCV. And

Penalty on Persons refusing to submit Weights, &c. to Examination.

XCV. And be it enacted, That if any Persons shall neglect or refuse to submit for Examination or Adjustment, upon being so required by the Lord Mayor or his Assistant, or his Deputy, any Weights and Measures, or shall offer any Hindrance or Obstruction to such Examination, such Person or Persons shall be liable to a Penalty not exceeding Five Pounds: Provided always, that in case such Weights or Measures shall be found correct and already duly stamped, it shall not be lawful for the said Lord Mayor or his Assistant, or his Deputy, to exact any Fee for such Examination.

Fees taken for regulating Weights and Measures to be same as authorized by Act of 5 & 6 W. 4. c. 63.

XCVI. And be it enacted, That the Fees to be taken for examining and comparing Weights and Measures, and for stamping such as may be correct, and which have not been already duly stamped, shall be the same as are authorized in the Schedule of Fees annexed to the Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-three, intituled *An Act to repeal an Act of the Fourth and Fifth Years of His present Majesty relating to Weights and Measures, and to make other Provisions instead thereof.*

Penalties on Hawkers of Coals not having Weighing Machines, or refusing to weigh, or selling under Weight.

XCVII. And whereas the Trade of hawking Coals for Sale by the Bag or in some other Mode of Retail is now extensively carried on in the City of *Dublin:* And whereas it is desirable to protect the Buyers of such Coals from Fraud: Be it enacted, That every such Hawker of Coals shall be bound to carry with him such Weighing Machine and Weights as the Lord Mayor shall direct, and such Hawker shall weigh such Coals, whenever required so to do by any Buyer thereof, or by any Justice of the Peace or Constable; and if any such Hawker shall not carry with him such Weighing Machine and Weights, or shall refuse to weigh such Coals, when required so to do, as aforesaid, such Hawker, on being convicted thereof before Two Justices of the Peace, shall be subject to a Penalty not exceeding Forty Shillings for each such Offence.

Act not to affect Coal, Corn, or Butter Trades.

XCVIII. And be it enacted, That the Sale of Coals at the Quays within the said Borough shall not be deemed a Market within the Meaning of this Act, nor shall anything herein contained extend to give the Lord Mayor or Council any Power to control, interfere with, or regulate the Coal Trade, or the Corn Exchange and Corn Trade, or the Butter Trade, within the said Borough, or to alter, repeal, or annul any of the Acts or Provisions of the Acts in force with respect to the said Trades.

Public Conveniences to be erected.

XCIX. And be it enacted, That the Council may, if they think fit, provide and maintain, in proper and convenient Situations, Urinals, Waterclosets,

Waterclosets, Privies, and other similar Conveniences for public Accommodation, and defray the necessary Expenses out of the Improvement Rate to be levied under this Act.

Certain Waterclosets to be constructed in Factories.

C. And be it enacted, That if at any Time it appear to the Council, upon the Report of the Surveyor, that any House is used or intended to be used as a Factory or Building in which Persons of both Sexes, and above Twenty in Number, are employed or intended to be employed at One Time in any Manufacture, Trade, or Business, the Council may, if they shall think fit, by Notice in Writing to the Owner or Occupier of such House, require them or either of them, within a Time within the Space of One Month after he shall have received such Notice, to be specified in such Notice, to construct a sufficient Number of Waterclosets or Privies for the separate Use of each Sex; and whosoever neglects or refuses to comply with any such Notice shall be liable for each Default to a Penalty not exceeding Twenty Pounds, and a further Penalty not exceeding Forty Shillings for every Day during which the Default is continued.

Humane Apparatus and Assistants may be provided.

CI. And be it enacted, That it shall be lawful for the Council to purchase, provide, and maintain all such Apparatus, Matters, and Things as may appear to them to be necessary to assist in searching for drowned Persons, and restoring Animation to Persons apparently drowned, and to employ and reward Assistants therein in such Manner as the Council shall deem expedient.

Power to erect Public Clocks and maintain and illuminate them.

CII. And be it enacted, That it shall be lawful for the Council to erect, maintain, and repair any new public Clocks within the said Limits, in such convenient Places as to them may appear expedient, and to light and illuminate in the Night Season all such Clocks, and to restore, renew, keep, and regulate all or any such Clocks, and to do all or any such Matters and Things aforesaid, to such Extent and in such Manner and Form as the Council may from Time to Time deem expedient and conducive to the public Advantage.

From 1st January 1851 Dealers in Marine Stores to be licensed.

CIII. And be it enacted, That from and after the First Day of *January* next after the Commencement of this Act no Person shall carry on within the Limits of this Act the Business of a Dealer in Marine Stores, unless such Person shall have obtained a Licence from the Council authorizing such Person to carry on such Business, and which Licence the Council shall have a discretionary Power of granting or refusing.

CIV. And

Names of Dealers in Marine Stores to be written in Front of Houses where Business is carried on.

CIV. And be it enacted, That every Person who shall be licensed under the Authority of this Act to carry on the Business of a Dealer in Marine Stores shall cause to be painted in Roman Capital Letters, Six Inches at least in Height and of a proportionate and proper Breadth, on the Outside of the Front of the House in which such Business shall in such Licence be stated to be carried on, and so that the same shall be at all Times plainly and distinctly visible and legible, the Christian Name and Surname of such licensed Person at full Length, together with the Words "Licensed Dealer in Marine Stores," and such Person shall continue such Name and Words so painted as aforesaid during all the Time that he shall continue to carry on the said Business upon the same Premises.

Persons applying for Licences to sign a Requisition for the same.

CV. And be it enacted, That before any such Licence shall be granted under the Provisions of this Act a Requisition for the same, in such Form as the Council shall from Time to Time provide for that Purpose, shall be made and signed by the Person carrying on or about to carry on the Business in respect of which such Licence shall be applied for, and in every such Requisition there shall be truly specified and set forth the Christian Name and the Surname and Place of Abode of the Person applying for such Licence, and the Place where the Business of such Person is proposed to be carried on.

Licences to be in force for One Year.

CVI. And be it enacted, That every Licence so to be granted shall be signed by the Town Clerk, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next general licensing Day, in case any such licensing Day shall be appointed by the Council, as they are hereby authorized to do.

What shall be specified in the Licences.

CVII. And be it enacted, That there shall be specified in every such Licence the true Christian Name and Surname and Place of Abode of the Person who shall carry on or be about to carry on the Business in respect of which such Licence shall be granted, and also the Name of the Street and the Number of the House in which such Business is or is intended to be carried on, and the particular Rooms or other Parts of such House used or intended to be used for the Purposes of such Business.

Fee to be paid for Licence.

Licences to be entered in a Book.

CVIII. And be it enacted, That for every such Licence, and for every Renewal thereof, there shall be paid to the Town Clerk such Sum, not exceeding Twenty Shillings, as the Council shall direct; and the Town Clerk shall enter such Licences in a Book, to be provided and kept by the Council for that Purpose; and such Sums so received shall be paid over to the Treasurer of the Borough, and form Part of the Borough Fund.

CIX. And

Licensed Persons to give Notice of Change of Abode and of Place of Business.

CIX. And be it enacted, That so often as any Person named in any Licence as carrying on the Business of a Dealer in Marine Stores shall change his Place of Abode, or the Place of carrying on his said Business, or shall carry on the same in any other Part of the House than that mentioned in the Licence as used for the Purposes thereof, he shall, within Twenty-four Hours next after such Change, give Notice thereof in Writing, signed by him, to the Town Clerk, specifying in such Notice his new Place of Abode, or his new House of Business, or the additional or any other Part of the House used for the Purposes of the said Business, as the Case may be; and such Person shall at the same Time produce his Licence at the Office of the Town Clerk, who shall endorse thereon a Memorandum specifying the Particulars of such Change.

Penalty on Persons carrying on Business without Licence, or changing his Residence or Place of Business without giving Notice.

CX. And be it enacted, That if any Person shall, after the First Day of *January* next after the Commencement of this Act, carry on within the Limits of this Act the Business of a Dealer in Marine Stores without having obtained a Licence for such Purpose, or if any Person, having obtained such Licence, shall neglect or omit to cause his Christian and Surname, together with the Words "Licensed Dealer in Marine Stores," to be so painted, or shall neglect or omit to continue the same so painted as aforesaid, according to the Directions of this Act, or shall change his Place of Abode, or the Place of carrying on his said Business, or shall carry on the same in any other Part of the House than that mentioned in the Licence as used for the Purposes thereof, and shall neglect or omit to give Notice of any such Change, or to produce such Licence in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner limited and directed by this Act, he shall forfeit any Sum not exceeding Twenty Pounds, and also any Sum not exceeding Five Pounds, for every Day during which such Business shall be carried on contrary to the Provisions of this Act.

Licences may be suspended or revoked.

CXI. And be it enacted, That any such Licence may be suspended or revoked by the Council, if the Person named in such Licence shall have been convicted of any Offence which in the Opinion of the Council shall render it expedient that such Licence shall be revoked or suspended.

Act not to extend to Shipchandlers or Ropemakers.

CXII. And be it enacted, That nothing in this Act contained with respect to Dealers in Marine Stores shall relate to or affect Persons who, carrying on the Business of a general Shipchandler, or that Business and the Business of a Ropemaker, shall only occasionally deal in second-hand Marine Stores.

CXIII. And

District Sewer Rates.

CXIII. And be it enacted, That for the Purpose of building and repairing Sewers within each District into which the District comprised within the Limits of this Act may be divided for the Purposes of Sewers, and for securing and paying off any Monies which may be borrowed for such Purposes, and the Interest thereof, it shall be lawful for the Council to make, assess, and levy for each such District such equal separate Rate, to be called the "District Sewer Rate," as may be necessary for the Purposes aforesaid, not exceeding in any One Year Four-pence in the Pound of the full net annual Value of the Property included in such Rate.

Application of District Sewer Rate.

CXIV. And be it enacted, That all Monies which shall come to the Hands of the Council from the said Rate, or which shall be raised by any Mortgage or Security thereof granted by the Council, shall be applied and disposed of as follows:

Firstly, in paying the Interest of all Monies borrowed and which shall be from Time to Time due and owing on the Credit of the said Rate;

Secondly, in setting apart and appropriating One Twentieth Part thereof in Payment off of the Principal Monies which shall have been borrowed or secured on the said Sewer Rate;

Thirdly, in building and repairing Sewers within the Limits of this Act;

And lastly, in paying off the Principal of all Monies due on the Credit of the said Rate.

Improvement Rate.

CXV. And be it enacted, That for the Purposes of defraying the Costs and Expenses of carrying this Act and the Powers and Provisions thereof into execution (except the Purposes to which any District Sewer Rates are hereby directed to be applied), and including the Costs and Expenses of making, maintaining, and providing such new Markets, and purchasing Markets, as are herein mentioned, and of defraying the Expenses of and incident to the obtaining of this Act, and also of paying the Amount of Compensation awarded to any Officer or Person under the Provisions of this Act, it shall be lawful for the Council from Time to Time to make, assess, and levy (in lieu and stead of the Rates which might have been assessed and levied under the Provisions of the said recited Acts hereby repealed) such equal Rate, to be called the "Improvement Rate," as may be necessary for the Purposes aforesaid, not exceeding in any One Year Two Shillings in the Pound of the full net annual Value of the Property included in such Rate.

 CXVI. And

Application of Improvement Rate or Improvement Fund.

CXVI. And be it enacted, That all Monies which shall come to the Hands of the Council from the said Rate called the "Improvement Rate," or which shall be raised by any Mortgage or Security thereof granted by the Council, and all other Monies to be received by the Council under this Act, (except the Monies to be raised and levied under the said Rate to be named "District Sewer Rate,") shall form a Fund to be called the "Improvement Fund," and shall be applied to the following Purposes:

Firstly, in defraying the Charges and Expenses which shall have been incurred or incident to the obtaining and passing of this Act;

Secondly, in paying the Interest of all Monies borrowed or Expenses which shall have been incurred or shall be incident to the obtaining and passing this Act;

Thirdly, in paying the Amount of Compensation awarded to any Officer or Person under the Provisions of this Act;

Fourthly, in setting apart the Sum required to pay the Debts hereinbefore mentioned due by the Wide Street Commissioners to the Lords Commissioners of Her Majesty's Treasury and to the *National* Insurance Company of *Ireland;*

Fifthly, in setting apart and appropriating One Twentieth Part thereof in Payment off of the Principal Monies which shall have been borrowed or secured on the said "Improvement Rate;"

Sixthly, in carrying all the Purposes of this Act into execution, except the building and repairing Sewers;

And lastly, in paying off the Principal of all Monies due on the Credit of said "Improvement Rate."

Power to rate and assess public Buildings;

CXVII. And whereas certain public Buildings within the City of *Dublin* have been heretofore rated and assessed towards paving, lighting, and cleansing the Streets of the said City, and it is expedient that they should continue to be rated for such Purposes under the Provisions of this Act: Be it therefore enacted, That it shall be lawful for the Council and they are hereby required, when and at such Times as the before-mentioned Rates and Assessments shall be made, to rate and assess for the Purposes aforesaid all Colleges, Halls, Theatres, Docks, Courts of Law, and all other public Buildings whatsoever, or Buildings occupied for public Purposes, save as herein-after excepted, situate in or fronting to or along the Side or Sides of any Street, Square, Lane, or other public Place or Passage within the Jurisdiction of the Council, in manner following; (that is to say,) to rate and assess all Colleges, Halls, Theatres, Docks, Courts of Law,

and other public Building or Buildings used for public Purposes, at a Rate not exceeding One Shilling by the Year for every Square Yard of the Ground fronting to or on the Side of such Colleges or other Buildings aforesaid, and contained between every such College or Ground, or the Ground belonging to such College or Building, and the Centre of any Street, Lane, or Passage to which it adjoins or fronts; and in case any such College or Building as aforesaid, or the Ground thereto belonging, shall be situated at any of the Quays, Docks, Squares, or Streets built upon one Side only, that then such College or Building shall be rated and assessed as aforesaid according to the Number of Square Yards of the Ground lying between such College or Building and the Wall, Railing, or other Inclosure of such Quay, Dock, Square, or Streets built upon one Side only; and to rate and assess all dead Walls and void Spaces of Ground adjoining to or on the Side or Sides of any Street, Lane, Quay, Court, Square, Alley, or other public Passage within the said Limits (save as aforesaid), although such dead Wall should enclose a Yard or Garden belonging or adjoining to any House or Tenement, for every Yard Running or Lineal Measure of such dead or void Space of Ground adjoining to or along the Side of such Street or Passage as aforesaid, at such respective Rate or Rates, Assessment or Assessments, as to the Council in their Discretion shall seem proper; provided that no Rate or Assessment so to be made in any such Case or Cases as last aforesaid shall exceed in the Year the Rate of Three Shillings for every such Yard Running Measure of such dead Wall or void Space (save as aforesaid) within the aforesaid Limits.

and dead Walls and void Spaces of Ground, &c.

CXVIII. Provided always, and be it enacted, That nothing in this Act contained for any of the Purposes therein or herein mentioned, either which have been or shall hereafter be performed, shall extend or be construed to extend to authorize the imposing or levying any Tax, Rate, or Assessment whatever on any sufficiently fenced or enclosed Lot or Plot of Ground, being laid out for the Purpose of building Houses thereon, in front to any Street or public Passage, and which Lot or Plot has not any Building erected thereon, but is actually in waste, and out of Use or Profit.

Nothing to extend to impose Rates, &c. on unprofitable Ground, &c.

CXIX. Provided also, and be it enacted, That no Person shall be rated to any Rate made in pursuance of this Act in respect of Minister's Money, or of any Church, Chapel, Meeting House, or other Building exclusively used for Public Worship, or any Building exclusively used for the Purposes of gratuitous Education of the Poor or of public Charity, or any Lands, Houses, or Buildings, or Parts of Houses or Buildings, exempted from the Payment of any County, Borough,

Exemption from Rates.

Borough, Parochial, or other local Rates or Cesses, under the Provisions of an Act passed in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to exempt from County, Borough, Parochial, and other local Rates, Land and Buildings occupied by Scientific or Literary Societies.*

6 & 7 Vict. c. 36.

Composition for Recovery of Rates upon Tenements under the annual Value of 8*l.*, &c.

CXX. And be it enacted, That when the net annual Value of any Premises liable to Assessment under this Act does not exceed the Sum of Eight Pounds, or whenever any Premises liable to such Assessment are let to weekly or monthly Tenants, or in separate Apartments, and the Rents become payable or are collected at any shorter Period than quarterly, the Council may from Time to Time, if they shall think fit, compound with the Owner of such Premises for the Payment of all or any of the Rates to be made under this Act, upon such reduced Estimate of the net annual Value, not being less than Two Thirds or more than Four Fifths of the net annual Value at which the Premises are then assessed, as the Council shall deem to be reasonable; and any Owner who shall refuse to enter into such Composition shall be rated to and pay the Rates assessed upon such Premises in respect of which the Composition is offered; and if at any Time the Amount of Composition or any Rate to which an Owner is last assessed be due and unpaid, the same may be levied by Distress and Sale of the Goods and Chattels of the Owner in default, wheresoever they may be found, or of the Occupier or Occupiers of the Premises, in the same Manner as is herein-after provided with respect to the Recovery of Rates made under this Act or any Act incorporated therewith: Provided always, that no such Owner shall be assessed in respect of any increased Rent which may become payable to him by reason of his so compounding for or becoming liable to any Rates as aforesaid; provided also, that the Owner or Occupiers of any such Premises as last aforesaid shall be liable to Distress and Sale of his or their Goods and Chattels for the Nonpayment of such Amount of Composition or Rates as may become due in respect of the Premises occupied by him or them during his or their Tenancy, but shall never be liable to pay any greater Sum than the Amount of the Rent actually due from him or them for such Premises, and he or they may deduct any Amount paid by him or them for the Rent due or from Time to Time becoming due from him or them, unless there be an Agreement to the contrary, and the Receipt for the Amount paid by him or them shall to that Extent be as against the Owner in default a sufficient Discharge for Rent.

Officers to receive Compensation,

CXXI. And be it enacted, That every salaried Commissioner, and every Officer of the said Commissioners for widening and improving the

the Streets of *Dublin*, and for paving, cleansing, and lighting the Streets of *Dublin*, and of the Grand Jury of the County of the City of *Dublin*, and any Secretary or other Officer employed by the Directors or Trustees of the *Circular Road* Turnpike Trust within the Borough of *Dublin*, and that every Officer of the Lord Mayor or Town Council of *Dublin*, provided he be such Officer of the said Lord Mayor or Town Council at the Period at which this Act shall come into operation respectively, whose Office shall be abolished, or cease or become unnecessary, by reason of this Act, or who shall be removed from his Office under the Provisions of this Act, or of an Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, or of a Bill now pending in Parliament, intituled *An Act to amend the Act for the Regulation of Municipal Corporations in* Ireland *so far as relates to the Borough of* Dublin, in case the same should pass into a Law, or be deprived of Fees or Emoluments to which he would have been entitled if this Act had not been passed, and who shall not be re-appointed under this Act, or who shall not be employed or retained by the Council in an Office of equal Value under this Act, shall be entitled to have an adequate Compensation, by way of a Sum of Money in gross or Annuity, at the Option of and to be assessed by the said Council, and paid out of the Improvement Fund by this Act authorized, for the Salary and for any Fees or Emoluments which he may enjoy or be entitled to receive on account of the Office which he shall cease to hold, regard being had to the Manner of his Appointment to the said Office, and his Term or Interest therein, Length of Service, and all other Circumstances of the Case; and every Person entitled to such Compensation as aforesaid shall, within Three Months after the Day when he shall have so become entitled, deliver to the Town Clerk a Statement under his Hand, setting forth how long he shall have held his said Office, and the Amount received by him or his Predecessor in Office every Year during the Period of Five Years, or such lesser Period as he shall have held his said Office next before the passing of this Act, on account of the Salary, Fees, Emoluments, and Profits in respect of which he shall claim Compensation, and containing a Declaration that the same is a true Statement, according to the best of the Knowledge, Information, and Belief of such Person, and also setting forth the Sum claimed by him as such Compensation; and the said Town Clerk shall lay such Statement before the Council, who shall take the same into consideration, and determine thereon; and if the Council shall not determine on such Claim within Six Months after the aforesaid Statement shall have been delivered to the Town Clerk, such Claim shall be considered as admitted; and, if the Council shall so require, the Person preferring such Claim, upon receiving Notice in Writing signed by the Town Clerk, shall attend

and Mode of ascertaining Compensation.

at any Meeting or adjourned Meeting of the said Council, or any Committee thereof to which the Investigation of such Claim may be referred by such Council, and then and there shall answer all such Questions as shall be asked by any Member of the said Council or Committee touching the Matters set forth in the Statement subscribed by such Person as aforesaid, and produce all Vouchers, Books, Papers, and Writings in his Possession, Custody, or Power relating thereto; and immediately upon a Determination being made by the said Council or Committee touching the Matter in the said Statement, the Person preferring such Claim shall be informed of the Particulars of such Determination, by Notice in Writing under the Hand of the Town Clerk; and in case such Claim shall be admitted in part and disallowed in part, such Notice shall specify the Particulars in which the same shall have been admitted and disallowed respectively; and in case the Person preferring such Claim shall think himself aggrieved by the Determination of the Council thereon, it shall be lawful for him to appeal to the Commissioners of Her Majesty's Treasury, who shall thereupon make such Order as to them shall seem just, and such Order, signed by Three or more of such Lords Commissioners, shall be binding upon all Parties; and the said Council shall from Time to Time pay to every such Person awarded Compensation as aforesaid the Money or Annuity so granted or determined as and for Compensation, when and as the same shall respectively become due and payable; and in case such Compensation shall be by way of Annuity, the same shall be payable by half-yearly Payments: Provided always, that every such Person who shall be continued in or re-appointed to such Office under the Provisions of this Act, and who shall subsequently be removed from such Office for any Cause other than such Misconduct as would warrant Removal from any Office held during good Behaviour, shall be entitled to Compensation in like Manner as if he had been forthwith removed under the Provisions of this Act, and had not been continued in or re-appointed to such Office: Provided also, that no Officer who shall have received Compensation under the Provisions of a Bill now pending in Parliament, intituled *An Act to provide for the Collection of Rates in the City of* Dublin, in case the same shall pass into a Law, shall be entitled to receive Compensation under this Act for the Loss of any Salary, Fees, or Emoluments in respect of which he shall have so received Compensation.

If Compensation by way of Annuity, the same to be secured by Bond.

CXXII. And be it enacted, That the Compensation payable to any such Person aforesaid shall be secured to such Person by Bond or Obligation under the Common Seal of the said Lord Mayor, Aldermen, and Burgesses of *Dublin*, in a sufficient Penalty, conditioned for the Payment to such Person, his Executors, Administrators,

tors, or Assigns, of such Compensation, with all Arrears thereof (if any) which shall have accrued due before the Date of such Bond; and such Bond or Obligation shall be prepared and executed at the Expense of the Fund by this Act made chargeable with such Compensation, and delivered to the Person entitled to such Compensation, as soon as conveniently may be after the Amount thereof shall have been admitted as aforesaid by the Council of the Borough, or shall have been determined, in the event of such Appeal as aforesaid, by Order of the said Commissioners of Her Majesty's Treasury.

Debts due on Turnpikes abolished by this Act to be paid by Council.

CXXIII. And whereas under the said recited Acts relating to the Turnpike Roads in the City of *Dublin* some Debts may be due and owing, and some Claims may arise for which it is just and proper that due Compensation should be made to all Persons having such Rights and Claims, according to the real Value of the same at the Time of the Commencement of this Act: Be it therefore enacted, That it shall be lawful for the Council under this Act, and they are hereby required, in the event of any Claims being made under or in pursuance of the said recited Acts within Twelve Months from the Commencement hereof, to pay or compound for the same, if they shall so think fit; and in case of Dispute as to the Amount thereof the same shall be settled by Arbitration in the Manner provided by the "Lands Clauses Consolidation Act, 1845," with respect to the Purchase and taking of Lands otherwise than by Agreement: Provided always, that with a view to an equitable Arrangement of such Claims the Arbitrators, in estimating such Compensation, are hereby required to take into consideration the Nature and Value of the Security at the Time of the passing of this Act, as well as the Amount of the Claim: Provided also, that the said Council shall not collect any Toll on any such Road within the Limits of the said Borough.

Costs of Proceedings for Recovery of Rates to be included in the Warrant of Distress.

CXXIV. And be it enacted, That it shall be lawful for any Justice who shall issue any Warrant of Distress for the Recovery of any Rate payable under this Act to order that the Costs of the Proceedings for the Recovery of such Rate shall be paid by the Person failing to pay the same, and such Costs shall be ascertained by such Justice, and levied by Distress; and the Justice shall include in his Warrant of Distress for the Recovery of the said Rate the Amount of such Costs, and shall issue his Warrant accordingly.

Application of Monies arising from Sale of superfluous Lands.

CXXV. And be it enacted, That all Monies which shall come to the Hands of the Council in consequence of the Sale of any superfluous Lands under the Provisions of this and the said "Lands Clauses Consolidation Act" shall be applied and disposed of in paying off any Principal Monies at the Time due and owing on the Credit of the said Improvement Fund.

CXXVI. And

Estimates of Sums required by the Council to be transmitted to the Collector General for Collection.

CXXVI. And whereas a Bill is pending in Parliament, intituled *An Act to provide for the Collection of Rates in the City of* Dublin, by which Bill it is, amongst other things, provided, that all Rates to be made under the Provisions of this Act shall be applotted, levied, and collected by the Collector General therein mentioned: Be it enacted, That in case the said Bill shall pass into a Law the Mayor, Aldermen, and Burgesses of *Dublin* shall and they are hereby required to transmit to the Collector General therein mentioned the several Estimates under their Common Seal required by the said intended Act to be transmitted to him at the respective Dates therein mentioned; and the Amount of such Estimates shall be collected by the said Collector General as in the said intended Act directed, anything in this Act contained to the contrary notwithstanding.

Repeal of "Wide Street Acts" not to invalidate Titles to Property acquired under them.

CXXVII. And be it enacted, and it is hereby expressly declared, That the Repeal of the said Acts herein-before recited, commonly called the "Wide Street Acts," shall not invalidate the Title to any Property purchased or acquired under the Authority of the said Acts or any of them.

Acts relating to Squares not to be affected.

CXXVIII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to interfere with the several Acts which have been passed for regulating *Stephen's Green, Merrion Square, Fitzwilliam Square, Mountjoy Square,* and *Rutland Square,* in the City of *Dublin,* but all such Acts passed for such Purposes shall be and continue in full Force and Effect as if this Act had not been passed.

Saving Rights of Commissioners of Rathmines.

CXXIX. And be it enacted, That nothing in this Act contained shall prejudice or affect the Rights of the Commissioners of *Rathmines,* if any, which they may have acquired under "The *Rathmines* Improvement Act, 1847."

Saving Rights of Ballast Board.

CXXX. And be it enacted, That nothing in this Act contained shall in anywise extend or be construed to extend to repeal, transfer, or interfere with the Rights, Powers, Privileges, Authorities, or Duties of the Corporation for preserving and improving the Port of *Dublin,* under or by virtue of the Act of Parliament passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for promoting the Trade of* Dublin, *by rendering its Port and Harbour more commodious,* or under or by virtue of any other Act of Parliament whatsoever, anything herein-before contained to the contrary thereof in anywise notwithstanding.

CXXXI. And

Expenses of Act.

CXXXI. And be it enacted, That the Costs, Charges, and Expenses attending or incident to the applying for and obtaining this Act shall be paid by the Treasurer of the said Borough out of the first Money which shall come to his Hands under the Provisions of this Act.

Providing for Payment of Costs of former Applications to Parliament.

CXXXII. And whereas in the Years One thousand eight hundred and forty-seven, One thousand eight hundred and forty-eight, and One thousand eight hundred and forty-nine, certain Bills were promoted for the Improvement of the Borough of *Dublin* and the continuous Supply of Water therein, also for the Consolidation of several of the public Boards of said Borough, and for providing for the better paving, cleansing, and Sewerage of said Borough, also for the Abolition of several of the public Boards and Trusts in the Borough of *Dublin*, by or on behalf of the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, at the Solicitation of *William Ford*, Town Clerk, and *George Lewis Smyth*, Parliamentary Agent for the said Corporation in the Matter of said Bills and the Proceedings herein referred to, and also by or on behalf of certain Rate-payers of said Borough of *Dublin*, at the Solicitation of *Frederick Jackson* of *Dublin*, Solicitor, and *Thomas Baker* of *Spring Gardens*, *Westminster*, Parliamentary Agent of and for said Rate-payers in the Matter of said Bills and the Proceedings herein referred to respectively: And whereas certain Costs, Charges, and Expenses were incurred by or on the Part of the Promoters of the said Bills respectively, as well before the Surveying Officers appointed under an Act of Parliament passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act for making preliminary Inquiries in certain Cases of Applications for Local Acts*, as well as for and on account of the necessary Proceedings before Parliament in the said Years in relation to the said Bills, and connected therewith or incident thereto, and also in relation to the passing of this Act: And whereas the Costs, Charges, and Expenses incurred as aforesaid still remain due and unpaid to the said respective Parties, and it is expedient to provide for the Payment of the same, as Costs, Charges, and Expenses attending or incident to the applying for and obtaining this Act: Be it therefore enacted, That within Six Calendar Months after the Commencement of this Act the said *William Ford* and *George Lewis Smyth* and the said *Frederick Jackson* and *Thomas Baker* respectively shall furnish their aforesaid Costs, Charges, and Expenses to the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, who shall, within Six Calendar Months after the Statement of said Costs shall respectively have been furnished to them, either make an Order for the Payment of the same upon the Treasurer of the said Borough, or for the Payment of any lesser Sum in discharge thereof, as they shall deem just and reasonable, when Funds applicable to the Payment of said Costs shall have reached the Hands of the said Treasurer, so that in either Case such Costs shall not exceed in the whole the Sum of Six thousand

9 & 10 Vict. c. 106.

Pounds; or in case the said Lord Mayor, Aldermen, and Burgesses shall not make such Order or Orders as aforesaid within Six Calendar Months after the said Costs shall have been respectively furnished to them as aforesaid, or shall omit to send the Statement of said Costs and Expenses respectively for Taxation to the Taxing Officer within such last-mentioned Period, in the Manner herein-after mentioned, then the said Costs and Expenses shall respectively be held to be ascertained at the Amount furnished, but such Sum not to exceed the Sum of Six thousand Pounds in the whole: Provided always, that in case either of the said Parties shall be dissatisfied with the Sum so ordered, then and in such Case the said Lord Mayor, Aldermen, and Burgesses shall, within Six Calendar Months after the Statement of the said Costs and Expenses shall have been so furnished, send the Statement of the said Costs and Expenses of the Party so dissatisfied to be ascertained and determined according to the Manner prescribed by "The House of Commons Costs Taxation Act, 1847;" and it shall be lawful for the Taxing Officer appointed under the said Act, and he is hereby authorized and required, to ascertain and determine all and singular the aforesaid Costs and Expenses, together with the Costs and Expenses of ascertaining and determining the same, upon being requested by the said Corporation, under their Common Seal, so to do; and such Sum or Sums of Money as shall be ascertained and determined, according to the Provisions of the said Act and the Authority of this Act, to be due and payable, provided that said Sum or Sums shall not exceed in the whole the Sum of Six thousand Pounds, for and on account of such Costs and Expenses, shall be and the same is and are hereby required to be paid by the Treasurer of the said Borough to the said *William Ford* and *George Lewis Smyth* and to the said *Frederick Jackson* and *Thomas Baker* respectively, out of the Rates by this Act authorized to be raised: Provided always, that all the Costs, Charges, and Expenses incurred by or on behalf of the Lords of the Admiralty and the Commissioners of Her Majesty's Woods and Forests respectively, in relation to any Inquiries had or made under the Authority of the said last-recited Act of the Ninth and Tenth Year of Her present Majesty, shall be paid by the Treasurer of the said Borough in priority to any other Payment by this Act authorized to be made in relation to the said Bills, and the Amount of such Costs, Charges, and Expenses shall be deducted from the Sum herein-before authorized to be paid.

Interpretation of Terms in this Act.

CXXXIII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words

Words importing the Masculine Gender only shall include Female:

The Word "Month" shall include Calendar Month:

The Word "Person" shall include Corporation, whether aggregate or sole:

The Words "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Dublin*:

The Words "General or Quarter Sessions of the Peace" shall mean General or Quarter Sessions for the Borough of *Dublin*:

The Word "Justice" shall mean the Lord Mayor of *Dublin* for the Time being, and any Justice of the Peace acting in or for the Borough of *Dublin*:

The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration lawfully substituted for an Oath in the Case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Words "City of *Dublin* or Borough" shall mean the Borough of *Dublin* as enlarged and extended by the Act passed in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, or any Act or Acts amending the same:

The Words "Council and Town Council" shall mean the Corporation of the City or Borough of *Dublin* as established and defined by the said Act for the Regulation of Municipal Corporations in *Ireland*, or any Act or Acts amending the same:

The Words "Improvement Fund" shall mean and include all Monies which shall be received from or on account of the "Improvement Rate," and all other Monies which may be received as Stallages, Rents, and Fees of Markets belonging to the Council under the Provisions of this Act:

The Word "Street" shall include any Square, Street, Court, Alley, Footpath, Footway, Highway, Lane, Road, Thoroughfare, public Passage, or other Place within the Borough of *Dublin*:

The Word "Court" shall mean any Street, not being a Carriageway, and having the principal or only Entrance of any Dwelling House therein:

The Word "Passage" shall mean any Alley, Way, or other Place, not being a Carriageway, not having the principal or only Entrance of any Dwelling House therein:

The Word "Officer" shall mean a Person in the Receipt of a Salary, or of any Fees or Emoluments arising from an Office or Employment.

CXXXIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such. Public Act.

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)—SECT. 29.

Form of Mortgage Deed.

By virtue of an Act passed, *&c.*, intituled "An Act," *&c.*, we, the Lord Mayor, Aldermen, and Burgesses of the Borough of Dublin, in consideration of the Sum of paid by *A.B.* of for the Purposes of the said Act, do grant and assign unto the said *A.B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates arising by virtue of the said Act as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Rates, to hold to the said *A.B.*, his Executors, Administrators, and Assigns, from this Day until the said Sum of with Interest at per Centum per Annum for the same, shall be fully paid and satisfied [the Principal Sum to be repaid at the End of Years from the Date hereof, *in case any Period be agreed upon for that Purpose*]. In witness whereof we have hereunto set the Common Seal of the said Borough, this Day of 184 .

SCHEDULE (B.)—SECT. 32.

Form of Grant of Annuity.

By virtue of an Act passed, intituled "An Act," *&c.*, we, the Lord Mayor, Aldermen, and Burgesses of the Borough of Dublin, in consideration of the Sum of paid by do grant unto the said *A.B.* an Annuity or yearly Sum of to be issuing out of the Rates arising by virtue of the said Act, to be paid to the said *A.B.* during the Term of his natural Life [*or, as the Case may be,* to the said his Executors, Administrators, or Assigns, during the natural Life of *or* during the natural Lives of and and the Life of the Survivor], upon the Day of in every Year during his natural Life [*or, as the Case may be,* during the natural Life of the said *or* of the said and the Survivor of them], the first Payment thereof to be made upon the Day of next ensuing the

the Date hereof. In witness whereof we have hereunto set the Common Seal of the said Borough, the Day of 184 .

SCHEDULE (C.)—SECT. 37.

Form of Transfer of Mortgage or Grant of Annuity.

I *A.B.* of in consideration of the Sum of paid to me by *C.D.* of do hereby transfer to the said *C.D.*, his Executors, Administrators, and Assigns, a certain Mortgage, Number [*or*, a certain Grant of Annuity, Number *as the Case may be*], made by the Lord Mayor, Aldermen, and Burgesses of the Borough of Dublin to bearing Date the Day of for securing the Sum of and Interest, [*or*, for granting an Annuity of *as the Case may be, or, if such Transfer be by Indorsement*, the within Security], and all my Right, Estate, and Interest in and to the Money thereby secured [*or*, the Annuity thereby granted], and in and to the Rates thereby assigned. In witness whereof I have hereunto set my Hand and Seal, this Day of 184 .

SCHEDULE (D.)—SECT. 87 ET SEQ.

Stallages or Rents payable.

For every covered or uncovered Shed, Stall, Bulk, Block, Bench, Trestle, Standing Place, Compartment, Space, or Station used by any Person for exposing to Sale Flesh Meat, Cheese, Bacon, pickled Pork, Fish, or any other Victuals, Vegetables, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever, (except as herein otherwise specifically charged,) the following Rents per Day shall be taken:

Not exceeding Three Feet by Three Feet, Sixpence;

Not exceeding Six Feet by Five Feet, One Shilling;

Not exceeding Nine Feet by Five Feet, One Shilling and Sixpence;

Not exceeding Twelve Feet by Five Feet, Two Shillings;

And in the same Proportion for any larger Space.

From any Person exposing for Sale any Article, Matter, or Thing, and not occupying any Shed, Stall, Bulk, Block, Trestle, or Station, nor any defined Compartment or Space on the Surface of the Ground;

If the Spot on which such Person shall stand be within the covered Market,

For any Basket, Hamper, Parcel, or Quantity of such Article, Matter, or Thing, for each Day, the Sum of One Penny Halfpenny:

If the Spot be not situate within the covered Market,

For any Basket, Hamper, Parcel, or Quantity of such Article, Matter, or Thing, for each Day, the Sum of One Penny.

Carts.

For the Space occupied by every Cart or other Vehicle used by any Person for exposing or in which shall be exposed to Sale any Article, Commodity, or Thing, the following Rents per Day:

If drawn by One Horse, Nine-pence; by Two Horses, One Shilling:

If drawn by any One other Animal, Sixpence; or, if by Two other Animals, Nine-pence.

Cattle.

For the Exposure to Sale of Horses or other Beasts, Cattle, or Pigs, as follows; (that is to say,)

For every Horse, Mare, or Gelding, Four-pence:

For every Mule, Ass, Colt, Filly, or Foal, Two-pence:

For every Bull, Ox, Cow, Heifer, or Steer, Three-pence:

For every Stallion exposed or shown on a Market Day, One Shilling:

For every Calf, One Penny:

For every Score of Sheep or Lambs, Ten-pence:

For every Score of Pigs, Ten-pence:

For every Score of Sucking Pigs, Five-pence:

And so on in proportion for any greater Number, and One or more not exceeding Five to be paid for as a Quarter of a Score.

Weighing and Measuring.

For weighing every Piece of Meat or any other Article or Thing weighing not more than Twenty Pounds Avoirdupois, One Halfpenny:

For weighing every Piece of Meat or other Article or Thing weighing more than Twenty Pounds and not exceeding One hundred Pounds, One Penny, and so in proportion for any greater or smaller Quantity than One hundred Pounds Weight over and above One hundred Pounds Weight:

For measuring any Quantity of Goods and Things sold by Measure not exceeding One Bushel, One Halfpenny:

For measuring every Quantity more than a Bushel and not exceeding Two Bushels, One Penny:

And for every Bushel beyond Two Bushels, One Halfpenny.

Weighing Machines.

For weighing any Cart or other Carriage, laden or unladen, the Sum of One Halfpenny per Hundred Weight.

Slaughter-houses.

For every Bull, Ox, Cow, Bullock, Steer, or Heifer, One Shilling:
For every Calf, Sixpence:
For every Sheep, Lamb, or Goat, Three-pence:
For every Hog or Pig, Four-pence:
For any other Beast, One Shilling.

The above-mentioned Stallages and Rents in the said Markets to be paid and payable in respect to the Occupation of any Stall, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof for a Part or Portion of the Day or Space of Time, as by any subsequent Taker or Occupier of the same for any other Part or Portion of the Day or Space of Time.

SCHEDULE (E.)

Fees for weighing Hay or Straw in Smithfield Market.

For weighing any Cart or other Carriage laden with Hay or Straw, or unladen, not exceeding the Sum of One Halfpenny per Hundred Weight.

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