Member *or* Members [*as the Case may be*] for the County *or* Division of a County [*as the Case may be*], at which Time and Place all Persons entitled to vote at the said Election are requested to give their Attendance.

And take notice, That all Persons who are guilty of Bribery at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Behalf in "The Corrupt Practices Act, 1854."

And take notice, That all Persons who are guilty of Treating or undue Influence at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Behalf in "The Corrupt Practices Prevention Act, 1854."

Signature of the proper Officer.

No. 2.—*Notice of Election in Boroughs.*

City or Borough of Day of

IN pursuance of a Writ received by me for electing a Burgess *or* Burgesses [*as the Case may be*], to serve in Parliament for the City *or* Borough [*as the Case may be*], I do hereby give Notice, That I shall proceed to Election accordingly on the Day of at o'Clock in , when and where all Persons concerned are to give their Attendance.

And take notice, That all Persons who are guilty of Bribery at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Behalf in "The Corrupt Practices Prevention Act 1854."

And take notice, That all Persons who are guilty of Treating or undue Influence at the said Election will, on Conviction of such Offence, be liable to the Penalties mentioned in that Behalf in "The Corrupt Practices Prevention Act."

Signature of the proper Officer.

CAP. CIII.

An Act to make better Provision for the paving, lighting, draining, cleansing, supplying with Water, and Regulation of Towns in *Ireland*.

[10th *August* 1854.]

'WHEREAS it is expedient to make better Provision for the paving, lighting, draining, cleansing, supplying with Water, and Regulation of Towns in *Ireland*, and to extend to such Towns certain Provisions of "The Commissioners Clauses Act, 1847," and of "The Towns Improvement Clauses Act, 1847," and of certain other Acts herein-after-mentioned:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same as follows: 10 & 11 Vict. c. 16. 10 & 11 Vict. c. 34.

I. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) the Word "Town" shall mean and include a City, Town Corporate, Borough, Market Town, or other Town in *Ireland*, containing a Population of One thousand five hundred Inhabitants or upwards, as ascertained by their last Population Returns made pursuant to Act of Parliament; the Expression "the Lord Lieutenant" or "Lord Lieutenant of *Ireland*" shall include any other Chief Governor or Governors of *Ireland*; the Word "Justices," as far as it relates to any Town situate in the *Dublin* Metropolitan Police District, shall be construed to mean the Divisional Magistrates of the said Police District; the Word "Person," and Words applying to any Person or Individual, shall apply to and include Corporations; the Word "Householder" shall mean a Male Occupier of a Dwelling House, or of any Lands, Tenements, or Hereditaments within the prescribed Boundaries of the Town rated to the Relief of the Poor in respect thereof; the Word "Occupier" shall extend to and include an immediate Lessor made liable under this Act to Assessments in Cases of Premises of such small annual Value as herein-after mentioned respectively in that Behalf, and such Word "Occupier" shall not include a Lodger or a Party in the Occupation as Tenant of a furnished House let for a less Period than

Interpretation of Terms in this Act.
"Town."
"Lord Lieutenant."
"Justices."
"Person."
"Householder."
"Occupier."

than One Year, but shall include the Party by whom such furnished House is so let; the Expression "Lodging House" shall mean a House in which Lodgers are housed for a less Period than One Week at a Time, at an Amount not exceeding Fourpence *per* Head *per* Night; the Word "County" shall include a County of a City or County of a Town; the Expression "the Commissioners" shall mean a Majority of the Commissioners for the Purposes of this Act acting in and for a Town by which this Act has been in whole or in part adopted; the Word "Treasurer" shall mean any Bank or Banking Company appointed by the Commissioners to act as their Treasurer; the Word "Lands" and the Word "Premises" shall include all Lands, Springs, Dwelling Houses, Shops, Warehouses, Vaults, Cellars, Stables, Breweries, Manufactories, Mills, and other Houses and Buildings, and Yards and Places; the Word "Street" shall extend to and include any Road, Bridge, Lane, Square, Court, Alley, and Thoroughfare or public Passage; the Word "Oath" shall include Affirmation in the Case of Quakers, and Declaration in the Case of Persons allowed by Law to make a Declaration in lieu of an Oath; the Word "Owner," used with reference to any Lands or Premises in respect of which any Work is required to be done, or any Assessment paid under this Act, shall mean the Person for the Time entitled to receive, or who, if such Lands or Premises were let to a Tenant at a Rackrent, would be entitled to receive the Rackrent from the Occupier thereof; the Expression "Assistant Barrister" shall mean the Assistant Barrister for the County or Place in which the Lands or Premises in question are situate, and shall also include the Chairman of the Sessions of the Peace of the County of *Dublin*; the Expression "Rackrent" shall mean Rent which is not less than Two Thirds of the full net annual Value of the Property out of which the Rent arises, and the full net annual Value shall (save as regards any Valuation for Poor Rates or Valuation for Assessments under this Act) be taken to be the Rent at which the Property ought reasonably to be expected to let from Year to Year, free from all Quit Rent, Head Rent, Ground Rent, and usual Tenants Rates and Taxes, and deducting therefrom the probable annual Cost of the Repairs, Insurance, and other Expenses (if any) necessary to maintain the same in a State to command such Rent; the Expression "private Assessment" shall mean any Assessment or Charge on Individuals for private Improvement Expenses, or for House Drainage, or otherwise under this Act; the Expression "District Assessment" shall mean any Assessment other than a "private Assessment" which is confined only to a Portion or District of any Town; the Word "Cattle" shall include any Horse, Mare, Gelding, Foal, Colt, Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine; the Expression "lawful Day" shall mean a Day not being *Sunday*, *Christmas Day*, or *Good Friday*, and when any Number of Days is appointed by this Act, the same shall be construed to mean such lawful Days, and be computed inclusive of the first and exclusive of the last of such Days; Words importing the Singular Number shall include the Plural Number; and Words importing the Plural Number shall include the Singular Number; and Words importing the Masculine Gender (except only the Word "Male") shall include Females.

"Lodging House."
"County."
"Commissioners."
"Treasurer."
"Lands."
"Premises."
"Street."
"Oath."
"Owner."
"Assistant Barrister."
"Rackrent."
"Private Assessment."
"District Assessment."
"Cattle."
"Lawful Day."
Number.
Gender.

Short Title of this Act.

II. In citing this Act in other Acts of Parliament, and in legal Instruments, and in pleading, it shall be enough to use the Expression "The Towns Improvement (*Ireland*) Act, 1854."

Form in which Portions of this Act may be incorporated in other Acts, or in Documents.

III. For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed, it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act, and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act; and such Reference to said introductory Words shall also be a sufficient Incorporation thereof in any Notice, Application, or other Proceeding under this Act.

On Application of Twenty-one Eight Pound Householders of any Town, Lord Lieutenant may

IV. Upon the Application of Twenty-one or more Householders of any City or Town in *Ireland*, each of such Householders occupying a Dwelling House or other Lands, Tenements, or Hereditaments within such City or Town, and rated in respect thereof to the Relief of the Poor at a net annual Value of Eight Pounds or upwards, applying that this Act or that specific Portion thereof (described as herein-before provided) may be carried into

execution

execution in such City or Town, which Application shall specify the Boundaries proposed for the Purposes of this Act, and a Copy of which Application shall be inserted in the *Dublin Gazette* and in One or more Newspaper or Newspapers published in such City or Town, and if none be therein published then in One or more Newspaper or Newspapers published nearest to such City or Town, it shall be lawful for the Lord Lieutenant of *Ireland*, One Month after Receipt of such Application, and if he shall approve of such proposed Boundaries, to order and direct that the Mayor or other Chief Magistrate of such Town (being a Corporate Town), or the Chairman of the Municipal Commissioners under the Act of the Third and Fourth Years of the Reign of Her present Majesty, Chapter One hundred and eight, wherever the same shall be in force, or any Two or more Justices of the Peace resident within Ten Miles of such Town, shall convene a Meeting for the Purpose of considering the carrying of this Act into execution, and One of them shall preside thereat, such Orders and Directions to be signified by the Chief Secretary of the Lord Lieutenant, or in his Absence by the Under Secretary; and a Copy of such Orders and Directions, with the Names of the Parties signing the Application for the same, and the Boundaries so approved of shall be inserted, under the Direction of such Chief or Under Secretary, in such Gazette and Newspaper or Newspaper as aforesaid.

order Mayor, &c. to convene a Meeting to consider the carrying this Act into execution therein.

V. Any such Order and Direction as aforesaid shall describe and specify the proposed Boundaries, for the Purposes of this Act, of such City or Town; and the same shall be in like Manner published in such Gazette and Newspaper or Newspapers as aforesaid; and if this Act shall be adopted in manner herein mentioned, in the whole or in part, such Boundaries, so approved of as aforesaid, shall be deemed to be the Boundaries of such City or Town for the Purposes of this Act: Provided always, that, in case it shall hereafter appear necessary, it shall be lawful for the Commissioners, by and with the Consent of the Lord Lieutenant, to alter or extend the Boundaries of such City or Town; and such altered or extended Boundaries shall then be deemed to be the Boundaries of such City or Town for the Purposes of this Act.

Order to specify the Boundaries of Town for the Purposes of this Act. If Act adopted, same to be the Boundaries.

VI. Such Meeting shall be holden at some convenient Place within such City or Town, and the said Mayor or other Chief Magistrate, or Justices, as the Case may be, shall, within Ten Days after the Receipt of such Orders and Directions signified as aforesaid, appoint and notify a Place within the Town, and a Time for holding such Meeting, which Time shall not be less than Ten Days, and not more than Twenty-one Days, from the Time of so first notifying the same; and such Notification shall be made by affixing Notices by Handbills Ten Days before the Day of the Meeting, in the Form in the Schedule marked (A.) to this Act annexed, on the Outside of the principal Doors of every Parish Church and Roman Catholic Chapel (if any) situate within such Town, and on the Principal Market House or Place where Markets are usually holden in the same, and on the Door of the Sessions House where the General Quarter Sessions of the Peace shall be holden for such City or Town, or for the Division in which the same shall be situate, and also by causing a Notice of like Purport to be inserted twice in any Newspaper or Newspapers published within such City or Town, and if none be therein published, then in the Newspaper published nearest to such City or Town.

Notice of such Meeting, when and how to be given.

VII. At any such Meeting convened as aforesaid such Persons as next herein-after mentioned shall be admitted and entitled to vote, and no other Person whatsoever; that is to say, every Person of full Age who is the immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town, also every Person of full Age who shall have occupied as Tenant or Owner, or shall have been the Immediate Lessor (rated for such Premises to the Relief of the Poor) of any Lands, Tenements, or Hereditaments within such City or Town, or within such Boundaries of the same respectively as aforesaid, and shall have been rated in respect of such Premises for the Period of Twelve Months preceding under the Acts for the Relief of the destitute Poor in *Ireland*, as Occupier of such Lands, Tenements, or Hereditaments, at a net annual Value of Eight Pounds or upwards, such Right of voting to be evidenced by the Rate Book of the Union, which the

At such Meeting, Persons rated for One Year to Poor's Rates for Premises of the Value of 8*l.* within the Town to have Votes.

Right of voting to be decided by Chairman.

Clerk of the Union is hereby required to produce at such Meeting; and if any Controversy shall arise at any such Meeting as to the Qualification or Right of voting of any Person claiming to vote, or to be qualified, such Controversy shall be determined by the Person or Persons, as the Case may be, presiding at such Meeting, by Reference to the Rate Book which the Clerk of the Union is hereby required to produce at such Meeting.

Power of Meeting to adopt this Act, or to decline to adopt it.

VIII. Such Meeting, after having had this Act laid before them, together with a Copy of such Application and such Order as aforesaid, shall proceed to consider and determine whether this Act shall, in whole or in part, be adopted and carried into execution within such Town, or shall appoint a Committee of their own Number, not exceeding Nine, to inquire and report to some future Meeting, to be held on such Day as shall be appointed by such Meeting; and such future Meeting shall, upon receiving the Report of such Committee, proceed in all respects in the Manner herein directed for such Meeting.

Expenses attending the calling First Meeting, &c. how to be borne.

IX. If the Provisions of this Act shall be adopted in whole or in part, all the Expenses incurred in relation to calling the First Meeting, making out Returns and Lists of qualified Occupiers, if such be necessary, and otherwise in relation to carrying this Act into execution, shall be defrayed out of the Money assessed and levied under the Authority thereof; but in case the Provisions of this Act shall not be adopted by such Meeting as aforesaid, in whole or in Part, then the whole of said Expenses shall be borne by the Persons signing the Application for holding such Meeting.

Chairman to declare the Determination of the Meeting.

X. The Person or Persons presiding at such Meeting shall ascertain the Determination thereof by a Show of Hands, or in such other Manner as shall appear to him or them expedient, and if necessary shall appoint Two such Ratepayers, qualified as aforesaid, to act as Tellers to ascertain and enumerate the Votes of qualified Persons assenting to or dissenting from the Adoption of this Act, in whole or in part, and such Tellers shall report the Result of their Scrutiny to such Person or Persons presiding at such Meeting, who shall declare the same; and in case no Poll shall be demanded, as herein-after provided, any Resolution to adopt the Provisions of this Act, in whole or in part, shall be effectual if carried by a Majority of Persons qualified and voting as aforesaid: Provided always, that if a Poll shall be demanded as aforesaid at such Meeting in Writing, and signed by any Ten Persons qualified to vote at such Meeting, it shall then be lawful for the Person or Persons presiding at such Meeting, and he or they are hereby required, to direct the Poll so demanded to be proceeded with at such Polling Place or Places and within such Period as he or they shall determine, such Period not to exceed Two clear lawful Days from the Day of such Meeting; and no Poll authorized by this Act to be taken shall be kept open for more than One Day, and the Polling shall commence at the Place or Places intimated at Nine o'Clock of the Forenoon, and close at Four o'Clock of the Afternoon of the Day that shall be named.

Majority sufficient.

Poll Books to be provided.

XI. Such Chief Magistrate, Mayor, or Justices shall direct the necessary Number of Poll Clerks to be appointed, and of Poll Books to be prepared, in which Books shall be inscribed by such Clerks the Name of the Voter and the Manner in which he votes.

State of Poll to be ascertained and declared.

XII. As soon after the Close of the Poll as may be the Poll Clerks shall transmit the State of the respective Polls to such Chief Magistrate, Mayor, or Justices, who shall sum up the same, and openly declare the Result of the total Poll at an adjourned Meeting to be held on the next lawful Day; and any Resolution to adopt the Provisions of this Act, in whole or in part, shall be effectual if carried by a Majority of the Persons qualified and voting as aforesaid.

How Minutes of Meeting to be worded if Act adopted in part only.

XIII. If such Resolution shall be to adopt this Act only in part, the Matter or Matters with respect to which this Act is so adopted shall be set forth and declared in the Minutes of such Meeting in the Words introductory to the Enactment in this Act with respect to such Matters, or it shall be set forth and declared in such Minutes that this Act, with the Exception of the Matter or Matters so described, is so adopted; and any Adoption of this Act, though in part only, shall infer the Adoption of the Enactments with respect to Assessments, and shall also infer the Adoption of the Enactments with respect to Appeal herein-after provided in so far as the Enactments relate to the Matter or Matters adopted, and shall also infer

infer the Adoption of every other general Enactment or Enactments applicable to such Matter or Matters, though not specially set forth and declared in such Minutes to be adopted.

If Act not adopted, Proposal may be re-considered after Two Years; if adopted only in part, it may after Two Months be further adopted.

XIV. Where any Town shall have resolved not to adopt the Provisions of this Act, the Householders and Occupiers thereof, qualified in each Case respectively as aforesaid, may, after the Expiration of Two Years from the Date of any preceding Meeting, but not sooner, by such and the like Proceedings, again take this Act into consideration, and adopt the same in whole or in part, or determine not to adopt the same; and when any Town shall have adopted them only in part, the Householders and Occupiers thereof, qualified in each Case respectively as aforesaid, may, after the Expiration of Two Months from the Date of any preceding Meeting, but not sooner, by such and the like Proceedings, again take this Act into consideration, and adopt such Part thereof as may not formerly have been adopted, or determine not to adopt the same.

Certified Copy of Determination to be transmitted to Lord Lieutenant.

If Lord Lieutenant approve of Determination, Notice of Approbation to be published in Gazette, and Act put in force accordingly.

XV. The Person or Persons presiding at such Meeting shall, within One Week, transmit to the Lord Lieutenant of *Ireland* a Copy, certified under his or their Hand, of the Resolution and Determination of such Meeting as aforesaid, and within One Month after such Resolution or Determination shall have been so certified, in case such Resolution or Determination shall be in favour of adopting the Execution of this Act in whole or in part; and in case the Lord Lieutenant shall approve of the same, he shall notify his Approbation thereof to the said Person or Persons, and fix the Number of Commissioners to be elected for carrying this Act into execution in such Town, and cause Notice of such Approbation to be published in the *Dublin Gazette;* and from and after a Day to be named in such Notice in that Behalf, either the whole of this Act or the Portion thereof so adopted and approved shall be applicable to and in force in such Town; and the Production of a printed Copy of such Gazette containing such Notice shall be deemed and taken to be in all Courts and Places final and conclusive Evidence for all Purposes that all the Proceedings, Acts, Matters, and Things required by this Act to be had or done for the Adoption of this Act in whole or in part were well and sufficiently done, and that the Act is in force in whole or in part, as the Case may be, in the Town to which such Notice relates; and the said Notice shall further state the Number of Commissioners to be elected for carrying this Act into execution in such Town, and the Number and the Boundaries of Wards into which such Town is to be divided; provided that in case of any Borough or Town Corporate in *Ireland*, the Town Council of such Borough, or the Board of Municipal Commissioners elected under the Provisions of the Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight, wherever the same shall be in force, shall be the Commissioners for carrying this Act into execution therein, where the Adoption of this Act, in whole or in part, shall have been determined on and approved in manner aforesaid; and in such Case no such Statement as last aforesaid of Division into Wards, or of the Number of Commissioners to be elected, shall be contained in such Notice; and the Lord Lieutenant shall appoint some fit and proper Person to divide such Town into Wards, and to determine and set out the Extent, Limits, and Boundary Lines of such Wards, and what Portions of such Borough shall be included therein respectively; and the Copy of the Particulars of such Division, together with the Number of Commissioners assigned as herein-after mentioned to each Ward, shall be forthwith transmitted to the Chief Secretary of the Lord Lieutenant; and if it shall be approved of by the Lord Lieutenant, with the Advice of the Privy Council, shall be published in the *Dublin Gazette;* and another Copy of such Particulars shall be delivered to the Town Clerk, or such Officer of the Town as the Privy Council may direct, to be by him safely kept among the public Documents of the Town, and such Division shall continue and be in force until the same shall be altered by the Authority of Parliament; and the Person so appointed to divide the Town into Wards shall also apportion among the several Wards of such Town the Number of Commissioners appointed for the Town by the Lord Lieutenant; and in assigning the Number of Commissioners to each Ward, such Person shall, as far as in his Judgment he may deem it practicable, have regard as well to the Number of Persons rated to the Relief of the Poor in each Ward, as to the aggregate Amount of the Sums at which all the said Persons shall be so rated, and such Apportionment

Notice to state Number of Wards, &c. In Corporate Towns, Town Council or Municipal Board to be the Commissioners.

of Commissioners shall be subject to the like Approval of the Lord Lieutenant and Privy Council: Provided, that in case the Lord Lieutenant and Privy Council shall not approve of the said Division or Apportionment, the Lord Lieutenant shall remit the same either to the Person originally appointed, or to some other Person, to make a new Division and Apportionment, subject to the like Approval, and so from Time to Time until such Division and Apportionment shall be definitively approved of.

Number of Commissioners.

If the Town be divided into Wards.

XVI. The Commissioners for the Purpose of executing this Act, to be elected as herein provided, shall be in Number not less than Nine nor more than Twenty-one, as may be determined as aforesaid, such Number to be divisible by Three; and where the Town shall be divided into Wards as aforesaid, the Number thereof, and the Number of Commissioners to be elected, shall be so settled and adjusted that there shall be not less than Three such Commissioners for each such Ward.

Where 9 G. 4. c. 82. in force in any Town, same to be no longer in force after First Election of Commissioners under this Act.

XVII. In any Town where the Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, shall be in force, and by which Town Application shall be made and Proceedings had in manner aforesaid under this Act, then, from and after the First Election of Commissioners under this Act for such Town, the said Act of the Ninth Year of King *George* the Fourth shall be no longer in force therein, save and except as to Matters or Things theretofore done, and as to any Debts, Demands, Rights, Liabilities, or Engagements theretofore incurred or accrued under the Provisions thereof; and all and every the Powers, Duties, and Authorities conferred upon or vested in the said Commissioners, whether by Statute or otherwise, and all Property, (including all Property vested in the said Commissioners under the Provisions of the Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight,) and all Claims, Demands, and Liabilities or Engagements of the Commissioners under the said Act of the Ninth Year of King *George* the Fourth, shall be transferred to and vested in the said Commissioners under this Act.

Where a Local Act in any Town provides for any of the Purposes of this Act, this Act not to be put in force without previous Consent of Two Thirds of Commissioners under Local Act.

After Adoption of this Act, First Election of Commissioners, Local Act to be no longer in force for the Purposes of this Act.

XVIII. Where any Local Act in force in any Town before the passing of this Act provides for any of the Purposes for which Provision is hereby made, this Act shall not be adopted or put in force therein in manner herein provided, so far as relates to any of the Purposes for which Provision is made under such Local Act, without the Consent in Writing of Two Thirds of the Commissioners or governing Body, constituted for the Purposes of such Local Act, first had and obtained at a Special Meeting of such Commissioners or governing Body, called upon Ten Days previous Notice at the least (to be published in the Manner and for the Time herein-before mentioned), but this Act may without such Consent be adopted and put in force for other Purposes for which Provision is not made under such Local Act; but in such Case where such Consent is hereby required, and has been had, then, from and after the Adoption of this Act in the whole or in part and the First Election of Commissioners under this Act for such Town, such Local Act shall be no longer in force in such Town, so far as regards the Provisions of such Act which have Reference to the Purposes for which this Act shall have been so adopted, save and except as to Matters and Things theretofore done, and as to any Debts, Demands, Rights, or Liabilities theretofore incurred or accrued under or in relation to such Provisions thereof; and in such Case, if under the Provisions of such Local Act any Tolls within such Town shall have been payable to and vested in such Commissioners or governing Body, such Tolls, and all Rights of receiving and levying the same, and the Remedies for the Recovery thereof, shall, from and after the First Election of Commissioners under this Act, be transferred to and stand vested in the Commissioners under this Act, subject nevertheless to all Debts, Demands, Rights, Liabilities, or Engagements theretofore affecting such Tolls or such Commissioners under such Local Act in respect thereof; and such Tolls shall stand vested in the said Commissioners acting under this Act, upon the Uses and Trusts, and for the Purposes, and subject to the same or like Regulations as contained and provided in such Local Act relating to such Tolls, so far as may be consistent with this Provision for the Transfer of the same as aforesaid; and such Commissioners under this Act shall be likewise empowered to raise, levy, and apply, for the Purposes of this Act, such Rates and Assessments, and of such Amount and for such Purposes, as by this Act is herein-after provided.

XIX. From

Lord Lieutenant not to direct Meetings for the Adoption of the 9 G. 4. c. 82.

XIX. From and after the Commencement of this Act it shall not be lawful for the Lord Lieutenant of *Ireland* to order or direct any Meeting to be called or convened for the Purpose of carrying the said Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, into execution.

Where Commissioners under Local Act decline to consent to the Adoption of this Act, same may be adopted by Consent of Two Thirds of Town Council and Powers of Assessment under Local Act transferred to Commissioners under this Act.

XX. In any City or Town Corporate where any Local Act in force provides for Purposes for which Provision is made under this Act, and where the Commissioners constituted under the said Local Act decline to consent to the Adoption of this Act in the Manner herein-before provided, then and in that Case this Act may be adopted or put in force in whole or in part in said City or Town Corporate, by Consent obtained in Writing under the Hands of Two Thirds of the Town Council of said City or Town Corporate; and in case any or all the Purposes for which the Assessment, or any Part thereof, under such Local Act is raised and levied are adopted as aforesaid under the Provisions of this Act, then the Powers of Assessment for such Purposes under such Local Act, and in the Manner specified by such Local Act, so far as such Powers are necessary for carrying out such Purposes and no further, shall be transferred to the said Commissioners under this Act, in addition to the Powers of Assessment herein-after provided under this Act: Provided always, that in case there exists any Debt due of the Commissioners of said Local Act, borrowed under the Provisions thereof, and payable out of the Dues and Duties leviable under said Act, such Debt, with the Interest accruing and payable thereon, shall be transferred to the Commissioners under this Act, and be considered as Money borrowed by them under the Provisions of this Act, and repayable as herein-after provided in respect to all Monies to be borrowed by the Commissioners appointed under this Act.

And with respect to the Election and Rotation of Commissioners under this Act, except where the Town Council are the Commissioners under this Act, be it enacted as follows:

First Election of Commissioners under Act.

XXI. As soon as conveniently may be after the Receipt of the Lord Lieutenant's Approval of the Adoption of this Act, in the whole or in part, in and for any Town, the Chief Magistrate, Mayor, or Justices as aforesaid shall convene a Meeting of the rated Occupiers, qualified as next herein-after mentioned, of such City or Town, or (if the same shall be divided into Wards) of such respective Wards, for the First Election of Commissioners for the Purpose of executing this Act, at some convenient Place in such City or Town, or in their respective Wards, as the Case may be, to be specified in the Notice to be given of such Meeting, and in such Places as shall be divided into Wards as aforesaid, the Ward Meetings shall, at the said First Election of Commissioners under this Act, be presided over by a Justice of the Peace resident within such Ward (if any), and in default of such, by One of the highest Ratepayers within such Ward, to be nominated by the Mayor, Chief Magistrate, Chairman of the Municipal Commissioners, or Justices aforesaid.

Qualification of Electors at Elections of Commissioners.

XXII. At such First and every other Meeting for the Election of Commissioners in said Town as herein-after prescribed such Persons as next herein-after mentioned shall be admitted and entitled to vote, and no other Person whatsoever; that is to say, every Person of full Age who is the immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town, also every Person of full Age who shall have occupied as Tenant or Owner or joint Occupier, or shall have been the immediate Lessor (rated for such Premises to the Relief of the Poor to the net annual Value of Four Pounds or upwards, and in the Case of joint Occupiers rated in respect of Premises of the net annual Value of Four Pounds or upwards for each of such joint Occupiers) of any Lands, Tenements, or Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, and shall have been rated in respect of such Premises for the Period of Twelve Months preceding the First Day of *January* in the Year in which any such Election shall be held under the Acts for the Relief of the destitute Poor in *Ireland*, and shall have paid all such Poor Rates as aforesaid as shall have become payable by him in respect of such Premises and all Grand Jury Rates, and all such Rates as shall have become payable by him under any Local Act in force in the City or Town or under this Act, except such as shall have become payable within Six Months next preceding such Election; and

and of the Payment or Nonpayment of such Rate, a Receipt, Certificate, or certified List, under the Hand of the Collector of Poor Rate, the Barony Collector, and the Collector under any Local Act in force in the City or Town, shall for such Purpose be deemed sufficient Evidence, and which Certificate or certified List such Collectors and Barony Constables are hereby required to furnish to the Person or Persons presiding at such Election; and if any Controversy shall arise at such Meeting as to the Qualification or Right to vote of any Person claiming to vote or to be qualified, such Controversy shall be determined by the Person or Persons presiding at such Meeting upon reference to the Rate Book, which the Clerk of the Union is hereby required to produce at such Meeting.

Day for Election of Commissioners.

XXIII. The Day upon which One Third of the Commissioners elected under this Act shall annually go out of Office, as herein-after provided, shall be the Fifteenth Day of *October* in each Year, or the next lawful Day thereto, and on the same Day annually the Places of Commissioners going out of Office shall be supplied by an equal Number of newly elected Commissioners, to be chosen from among the Householders or Occupiers of the Town, qualified to be Commissioners, as herein-after prescribed; and where the Town is divided into Wards, the Place of each Commissioner going out of Office shall in all Cases under this Act be filled up by the Ward which returned him: Provided always, that if such First Election of Commissioners under this Act shall take place before the Fifteenth Day of *October* in the Year of such Election, the Commissioners then first elected shall all continue in Office until the Fifteenth Day of *October* in the Year next ensuing that in which such Election shall have been held, or the next lawful Day afterwards.

Commissioners Clauses Act, as to Election and Rotation incorporated herewith.

XXIV. Save as herein-before in that Behalf provided, so much of "The Commissioners Clauses Act, 1847," as relates to the Election and Rotation of the Commissioners, save so much thereof as relates to the Scale of Votes of Owners and Occupiers, shall be incorporated with and read as Part of this Act; and that wherever in the Portions of said Act so incorporated, or in any other Portions of said Act, or of "The Towns Improvement Clauses Act, 1847," herein-after incorporated with this Act, the Expression "Special Act" occurs, same shall be construed, but so far only as relates to Towns which shall adopt the Provisions of this Act, to mean this Act, and shall be read as if, instead of such Expression, there were inserted in such Provisions the Words "The Towns Improvement (*Ireland*) Act, 1854," as applied to any particular Town adopting the Provisions of this Act and of the Acts incorporated herewith.

And with respect to the Qualification of Commissioners, be it enacted as follows:

Qualification of Commissioners.

XXV. Every Person who shall have been for Twelve Months preceding the First Day of *January* in the Year in which such Election is held the immediate Lessor of Lands, Tenements, and Hereditaments within such Town, or within such Boundaries of the same respectively as aforesaid, of the Value of Fifty Pounds or upwards, according to the last Poor Law Valuation, and who shall reside within Five Miles of the Boundary of such Town, and also any Householder or Occupier of full Age rated to the Relief of the Poor in respect of a Dwelling House in the Town at the net Annual Value of Twelve Pounds or upwards, not being an Ecclesiastic of any religious Denomination, shall be eligible to be elected a Commissioner for the Purposes of this Act, and may be proposed at such Meeting by any Householder or Occupier qualified to vote under the Provision herein-before contained, and may be seconded by any other Householder or Occupier qualified to vote as aforesaid.

Incorporation Clause.

XXVI. So much of "The Commissioners Clauses Act, 1847," as relates to the Qualification of the Commissioners shall be incorporated with and read as Part of this Act.

And with respect to the Meetings and other Proceedings of the Commissioners, be it enacted as follows:

First Meeting of Commissioners.

XXVII. All the Commissioners so returned as aforesaid shall, at Twelve of the Clock at Noon on the First *Monday* after such Election, hold their First General Meeting in the Town Hall or other convenient Place within such Town, with Power to adjourn to such other Place as they may think fit; and Meetings of the Commissioners shall be held in such Places as they shall appoint within the Town upon the First *Monday* of every Month in each Year, at Twelve of the Clock at Noon.

Statutory Meetings.

XXVIII. Save

Incorporation Clause. Meetings of Commissioners.

XXVIII. Save as herein in that Behalf provided, so much of "The Commissioners Clauses Act, 1847," as relates to the Meetings and other Proceedings of the Commissioners, and their Liabilities, shall be incorporated with and read as Part of this Act.

And with respect to the Chairman of the Commissioners, be it enacted as follows:

Chairman to be a Justice of the Peace for the Purposes of the Act.

XXIX. The Commissioners elected under this Act shall furnish to the Lord Chancellor of *Ireland* for the Time being a certified Return, setting forth the Name, Age, Rating, Occupation, or Profession of the Persons elected to be Commissioners, and it shall be lawful for the Lord Chancellor, if he shall think fit, to select from such Commissioners a proper and qualified Person to act as a Justice of the Peace for the Purposes of this Act within the Boundaries of the Town, and then in all Cases arising under this Act, and cognizable by One or more Justices of the Peace, the Person so selected shall, during his Term of Office, and during that Term so long as the Lord Chancellor shall not disapprove, have the Jurisdiction and Authority of and be a Justice of the Peace within the Boundaries of the Town as specified for the Purposes of this Act, and for such Purposes only, provided such Town be not situate within the *Dublin* Metropolitan Police District.

And with respect to the Duties of such Commissioner so selected as aforesaid, to have the Jurisdiction and Authority of a Justice of the Peace, be it enacted as follows:

Commissioners to provide suitable Court-house, and proper Officer to act as Clerk.

XXX. It shall be lawful for the said Commissioners and they are hereby required to appoint a proper Officer to act as Clerk, and to provide, if there shall be no public Court House within such Town, a suitable Building to be a public Court for the hearing and determining of Offences under this Act; and it shall be lawful for the said Commissioners or any other Justice of the Peace of the City or Town, or of the County in which such City or Town or any Part thereof is situate, to sit at and hold such Court on every Fair and Market Day of such City or Town, and on every other Day on which he or they may think fit, for the hearing and determining of Offences under this Act; and for the Purposes of this Act such Commissioner or other Justice or Justices presiding at such Court shall have the same Powers as Justices presiding at Petty Sessions.

And with respect to the Officers to be appointed by the Commissioners, be it enacted as follows:

Officers: Proviso as to Approval.

XXXI. So much of "The Towns Improvement Clauses Act, 1847," as relates to the Officers to be appointed by the Commissioners, shall be incorporated with and form Part of this Act: Provided always, that the Approval requisite to the Appointment of such Officers shall be the Approval of the Lord Lieutenant of *Ireland* for the Time being.

And with respect to Plans of Towns, and of the Works to be executed under the Powers of this Act, be it enacted as follows:

Surveys and Plans.

XXXII. So much of "The Towns Improvement Clauses Act, 1847," as relates to Plans of the District, and of the Works to be executed under any Act, shall be incorporated with and form Part of this Act.

And with respect to making and maintaining the Public Sewers, be it enacted as follows:

Power to purchase, &c. certain Sewers.

XXXIII. The Commissioners may, if they shall think fit, purchase the Rights, Powers, and Authorities vested in any Person for making Sewers, or contract for the Use of, or purchase any Sewers within the Town, with or without the Buildings, Works, Materials, and Things belonging or appertaining thereto; and any Person to whom any such Sewers belong may sell and dispose of the same to or otherwise contract with the Commissioners; and in case of any such Sale the Purchase Money shall be settled and applied to the same Uses and Trusts to which the Property purchased may have been subject at the Time of such Sale, and the Property purchased shall vest in and belong to the Commissioners purchasing the same.

Incorporation Clause. Appeal. Persons aggrieved by

XXXIV. So much of "The Towns Improvement Clauses Act, 1847," as relates to the making and maintaining the public Sewers, shall be incorporated with and form Part of this Act: Provided always, that as regards the making, altering, and maintaining Sewers and Drains,

making, &c. Sewers may appeal.

Drains, it shall be lawful for any Person whose Property may be taken or affected, or who shall think himself thereby aggrieved, to appeal thereon to the Court of the Assistant Barrister in manner herein-after mentioned.

And with respect to the Drainage of Houses, be it enacted as follows:

Drainage of Houses Incorporation Clause.

Appeal.

XXXV. So much of "The Towns Improvement Clauses Act, 1847," as relates to the Drainage of Houses shall be incorporated with and form Part of this Act: Provided, that where the Commissioners shall signify their Disapproval of the Level at which it is proposed to lay the Foundations of any new House as provided therein, it shall be lawful for any Person who shall think himself aggrieved thereby to appeal thereon to the Court of the Assistant Barrister in manner herein-after provided.

And with respect to paving and maintaining the Streets, be it enacted as follows:

Paving Incorporation Clause.

XXXVI. That Clauses Fifty-one, Fifty-two, and Fifty-three of "The Towns Improvement Clauses Act, 1847," shall be incorporated with and form Part of this Act; provided that nothing herein or in the said Clauses so incorporated with this Act shall extend or be construed to exonerate any Turnpike Commissioners or Trustees, or any Grand Jury or other Body, or Person or Persons whatsoever, from his or their Duty or Obligation to maintain and repair any Street or Road running through any City, Town Corporate, Borough, or other Town adopting the Provisions of this Act, unless the Commissioners for the Execution of this Act shall desire to take upon themselves such Duty or Obligation; and in such Case such Commissioners shall become liable in like Manner as the Party or Parties originally liable to such Duty or Obligation, and shall in like Manner answer for and be punishable for any Default in the Discharge or Observance of such Duty or Obligation.

And with respect to laying out new Streets, be it enacted as follows:

New Streets Incorporation Clause.

Parties aggrieved may appeal.

XXXVII. So much of "The Towns Improvement Clauses Act, 1847," as relates to laying out new Streets be incorporated with and form Part of this Act: Provided always, that as regards the making and laying out any new Streets, and fixing the Levels thereof, it shall be lawful for any Person whose Property may be taken or affected, and who shall think himself thereby aggrieved, to appeal thereon to the Assistant Barrister in manner herein-after mentioned.

And with respect to naming the Streets and numbering the Houses, and also with respect to improving the Line of the Streets and removing Obstructions, be it enacted as follows:

Naming Streets; numbering Houses; Obstructions. Parties aggrieved may appeal to the Assistant Barrister.

XXXVIII. So much of "The Towns Improvement Clauses Act, 1847," as relates to naming the Streets and numbering the Houses, and also so much thereof as relates to improving the Line of the Streets and removing Obstructions, shall be incorporated with and form Part of this Act: Provided always, that as regards the improving the Line of any Street and removing Obstructions it shall be lawful for any Person whose Property may be taken or affected, and who shall think himself thereby aggrieved, to appeal thereon to the Assistant Barrister in manner herein-after mentioned.

And with respect to ruinous or dangerous Buildings, and also with respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses, be it enacted as follows:

Ruinous Buildings, Precautions, &c.

XXXIX. So much of "The Towns Improvement Clauses Act, 1847," as relates to ruinous and dangerous Buildings, and also so much thereof as relates to Precautions during the Construction and Repair of the Sewers, Streets, and Houses, shall be incorporated with and form Part of this Act.

And with respect to Objections to Works to be constructed by or subject to the Approval of the Commissioners, be it enacted as follows:

Objections to Works.

XL. So much of "The Towns Improvement Clauses Act, 1847," as relates to Objections to the Works to be constructed by or subject to the Approval of the Commissioners, except so much thereof as relates to the Appeal thereby provided, shall be incorporated with and form art of this Act.

XLI. Any

Persons aggrieved by Orders of the Commissioners may appeal to the Assistant Barrister.

XLI. Any Person liable to pay or to contribute towards the Expense of any of the Works herein-before mentioned, or otherwise aggrieved by any Order of the Commissioners relating thereto, may, at any Time within Seven Days next after the making of any such Order, give Notice in Writing to the Commissioners that he intends to appeal against such Order to the Assistant Barrister at the next Quarter Sessions for the Division or Place, and along with such Notice he shall give a Statement in Writing of the Grounds of the Appeal; and if within Eight Days next after giving such Notice the Party give Security by Recognizance before a Justice of the Peace, with Two sufficient Sureties, to the Satisfaction of such Justice, to abide the Order of the Assistant Barrister, and pay such Costs as may be awarded against him thereupon, the Work so appealed against shall not be begun until after the Judgment of the Assistant Barrister upon such Appeal; and a Copy of such Notice, and Statement of the Grounds of such Appeal as aforesaid, shall be lodged by the Appellant with the Clerk of the Peace on the Day before the Commencement of the Sessions at which the Appeal is to be heard; and the Assistant Barrister shall hear and determine the Matter of the Appeal, and shall make such Order thereon, either confirming, quashing, or varying such Order, Proceeding, or Matter, and shall award such Costs to either of the Parties, as the said Assistant Barrister in his Discretion thinks fit; provided, that the Appellant shall not be heard in support of such Appeal unless such Notice and Statement have been given and such Recognizance entered into as aforesaid, 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; provided also, that if there be not an Interval of Fifteen Days between the making of such Order and the then next Sessions, then such Appeal may be made and such Notice given for the next following Sessions for the Division or Place at which the Appeal can be heard.

And with respect to cleansing the Streets, and the Prevention of Nuisances, and the Prevention of Smoke, be it enacted as follows:

Cleansing Streets, Prevention of Nuisances and of Smoke.

XLII. So much of "The Towns Improvement Clauses Act, 1847," as relates to cleansing the Streets, and the Prevention of Nuisances, and the Prevention of Smoke, shall be incorporated with and form Part of this Act.

And with respect to the Construction of Houses for Prevention of Fire be it enacted as follows:

Party Walls to be carried up through the Roof.

XLIII. The Party Walls of all Buildings erected after the Adoption of this Act by any Town shall be carried through and above the Roof, to form a Parapet of not less than Twelve Inches in Height, measured at Right Angles with the Slope of the Roof, above the Covering of the Roof of the highest Building to which such Party Walls belong; and every Person who shall erect any Building contrary to the Provision herein contained, and who shall not alter the same within One Month after Notice given to him for that Purpose by the Commissioners, shall be liable to a Penalty not exceeding Five Shillings for every Day that such Building shall so continue.

And with respect to supplying Buildings with fresh Air, be it enacted as follows:

Ventilation.

XLIV. So much of "The Towns Improvement Clauses Act, 1847," as relates to supplying Buildings with fresh Air shall be incorporated with and form Part of this Act; provided, that the Appeal from the Determination of the Commissioners in this respect shall be such Appeal to the Court of the Assistant Barrister as is herein-before provided.

And with respect to Lodging Houses, be it enacted as follows:

For the Regulation of Lodging Houses.

XLV. It shall not be lawful to keep or use as a Lodging House within any Town the Population of which, as ascertained by the last Population Returns made pursuant to Act of Parliament, shall be above Three thousand Inhabitants, any House, not being a Licensed Victualling House, unless such House shall have been registered as a Lodging House in a Book to be kept by the Commissioners for that Purpose.

Incorporation Clause.

XLVI. Save as above provided, so much of "The Towns Improvement Act, 1847," as relates to Lodging Houses shall be incorporated with and form Part of this Act.

Slaughter-houses, &c.

And with respect to Slaughter-houses, be it enacted as follows:

Saving Rights of Persons incorporated by Act of Parliament for maintaining Slaughter-houses.

XLVII. So much of "The Towns Improvement Clauses Act, 1847," as relates to Slaughter-houses shall be incorporated with and form Part of this Act: Provided always, that nothing herein contained shall prejudice or affect the Rights, Privileges, Powers, or Authorities of any Persons incorporated or authorized by any Local Act of Parliament passed before the passing of this Act, for the Purpose of making and maintaining Slaughter-houses for the Accommodation of any City, Town, or Place.

And with respect to the Sale or Exposure for Sale of unwholesome and adulterated Food, be it enacted as follows:

Provision against Sale of unwholesome Meat;

XLVIII. In any Shop, Building, Stall, or Place kept or used for the Sale of Butchers Meat, Poultry, or Fish, no Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which is unfit for the Food of Man shall be kept or retained, unless entirely separate and apart from any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which is intended for such Food, nor unless the same be ticketed in large and legible and conspicuous Characters as being unfit for such Food; and any Person who shall keep in any Shop, Building, Stall, or Place occupied or used by him as aforesaid any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which is unfit for the Food of Man otherwise than entirely separate and apart, and ticketed as aforesaid, shall be liable to a Penalty not exceeding Five Pounds; and the Inspector of Nuisances, Officer of Health, or any other Officer appointed by the Commissioners for that Purpose, may and he is hereby empowered, at all reasonable Times, with or without Assistants, to enter into and inspect any Shop, Building, Stall, or Place kept or used for the Sale of Butchers Meat, Poultry, or Fish, or as a Slaughter-house, and to examine any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish which may be therein; and in case any Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish appear to him to be intended for the Food of Man, and to be unfit for such Food, the same may be seized; and if it appear to the Chairman of the Commissioners, upon the Evidence of a competent Person, that any such Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish is unfit for the Food of Man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for Sale or used for such Food; and the Person to whom such Animal, Carcass, Meat, Poultry, Game, Flesh, or Fish belongs, or in whose Custody the same is found, shall be liable to a Penalty not exceeding Five Pounds for every Animal or Carcass, Fish, or Piece of Meat, Flesh, or Fish, or any Poultry or Game, so found, and as to which such Magistrate shall be satisfied that it was intended for the Food of Man.

and against Sale of adulterated Food.

XLIX. If any Person shall sell or expose for Sale any adulterated Butter, Meal, Bread, or other Article of Food, knowing the same to be adulterated, such Person so offending shall, upon Conviction before a Justice, for every such Offence be liable to a Penalty not exceeding Forty Shillings, and such adulterated Article shall be forfeited and disposed of as the Chairman of the Commissioners shall direct; and it shall be lawful for such Chairman on the Application of the Inspector of Nuisances, or other Officer acting under this Act, setting forth that he has received Information and has just Cause to believe that any adulterated Article of Food is in the Possession of any Person for the Purpose of being disposed of, to grant Warrant to enter upon the Premises of such Person, and to search for and seize such Article of Food, and to forfeit and dispose of the same as to him shall seem proper.

Offensive Trades newly established to be subject to the Regulation of Commissioners.

L. The Business of a Blood-boiler, Bone-boiler, Slaughterer of Cattle, Horses, or Animals of any Description, Soap-boiler, Tallow-melter, Tripe-boiler, or other noxious or offensive Business, Trade, or Manufacture, shall not be newly established in any Building or Place within the Town without the Consent of the Commissioners; and whosoever offends against this Enactment shall be liable for each Offence to a Penalty not exceeding Twenty Pounds, and a further Penalty not exceeding Forty Shillings for each Day during which the Offence is continued; and the Commissioners may from Time to Time make such Byelaws with respect to any such Businesses so newly established as they may think necessary and proper, in order to prevent or diminish the noxious or injurious Effects thereof.

And with respect to the lighting of Towns, be it enacted as follows:

Commissioners may contract for lighting Streets.

LI. The Commissioners may contract for any Period not exceeding Three Years at any One Time with the Owners of any Gasworks, or with any other Person, for the Supply of such Gas or Oil, or other Means of lighting, and may provide such Lamps, Lamp Posts, and other

other Works as the Commissioners think necessary for lighting the Streets of the Town; and if the Commissioners and the Owners of any Gasworks authorized by Act of Parliament to supply Gas within the Town, and with whom the Commissioners shall be desirous of contracting, shall not agree as to the Price to be paid for such Supply, then such Price shall be settled by Arbitration, and for that Purpose the Clauses of "The Lands Clauses Consolidation Act, 1845," with respect to the Settlement of disputed Compensation by Arbitration, shall be incorporated with this Act.

Price to be paid for Gas to be ascertained in case of Dispute.

And with respect to the Supply of Water, be it enacted as follows:

Incorporation Clause.

LII. The One hundred and twenty-fourth Clause of "The Towns Improvement Clauses Act, 1847," shall be incorporated with and form Part of this Act, and the Commissioners may provide the Town from within or without the Boundaries of such Town with such a Supply of Water as may be proper and sufficient for the Purposes of this Act, and for private Use to the Extent required by this Act; and for those Purposes or any of them the Commissioners may from Time to Time contract with any Person whomsoever, or with any Company, or purchase, take upon Lease, hire, construct, lay down, and maintain such Waterworks, and do and execute all such Works, Matters, and Things as shall be necessary and proper, including the opening of Roads and Streets from Time to Time, for the Purpose of laying down, altering, or repairing Water Pipes therein; and the Commissioners may provide and keep a Supply of pure and wholesome Water, and may lay on at such Pressure as will carry the same to the Top Story of the highest Dwelling House within the Town: Provided always, that before constructing or laying down any Waterworks under the Powers of this Act within any Limits in respect of which any Waterworks Company shall have been established, the Commissioners shall give Notice in Writing to every such Waterworks Company, or private Owner or Owners of such Waterworks, stating the Purposes for and the Extent to which Water is required by the Commissioners; and it shall not be lawful for the Commissioners to construct or lay down any Waterworks within such Limits so long as any such Company, or Owner or Owners as aforesaid, shall lay on Water proper and sufficient for all reasonable Purposes for which it is required by the Commissioners; and in case any Difference shall arise as to whether the Water which any such Company, or Owner or Owners as aforesaid, are willing to supply is proper and sufficient for the Purposes for which it is required, or whether the Purposes for which it is required are reasonable, the same shall be settled on an Appeal in manner aforesaid (but without any Recognizance) by either Party to the Assistant Barrister, whose Decision shall be final: Provided always, that it shall not be lawful for the Commissioners to take or use any Water, Cistern, Pump, Well, Conduit, or Waterwork without having obtained the Consent in Writing of the Owner or Owners thereof.

Commissioners may provide sufficient Supplies of Water, and may erect Waterworks, &c.

In case of Waterworks constructed by Commissioners, the Water may be kept constantly under Pressure.

Commissioners not to construct Waterworks, &c. if any Waterworks Company within the Town be able and willing to supply Water upon Terms.

LIII. Where the Commissioners are able and willing to supply the Houses or Tenements within the Town with Water for domestic and ordinary Purposes, the Owners of such Houses and Tenements shall be entitled to obtain such Supply by connecting a Service Pipe with the Main Pipes to be laid down by the Commissioners, the Expense of such Service Pipes and of connecting the same with the Main Pipes being defrayed by such Owners; and where the Houses and Tenements generally in any Street or Place within the Town shall be supplied with Water by means of such Service Pipes, it shall be competent to the Commissioners to require the Owner of any Tenement in such Street or Place not so supplied to take a Supply of Water by connecting a Service Pipe with the Main Pipe as aforesaid; and in the event of Refusal or Delay on the Part of such Owner to comply with such Requisition, it shall be lawful for the Commissioners to enter upon such Houses or Premises, and proceed to lay down such Service Pipes themselves, and to recover the Expense thereof from such Owner in the same Manner as Damages; and no Person within the Town shall be entitled, without special Agreement with the Commissioners, to use the Water supplied through the Pipes of the Commissioners, except for domestic and ordinary Purposes; but where there is a Supply of Water more than is required for such domestic and ordinary Purposes within the Town, it shall be lawful for the Commissioners to contract with any Person or Persons within the Town to supply any Public Baths and Wash-houses, Works, Manufactories, or other Premises within the Town with Water, at such Rate and upon such Terms and Conditions as may be agreed on; or in the event of

Service Pipes to be laid by Owners.

Water to be used only for domestic and ordinary Purposes, unless by Agreement with the Commissioners.

Disagreement, either as to the Ability of the Commissioners to give the Supply, or as to the Rate, Terms, or Conditions on or in respect of which the Supply is to be given, the same shall be fixed on an Appeal in manner aforesaid (but without any Recognizance) by either of the Parties to the Assistant Barrister, whose Decision shall be final; and when the Main Pipes of the Commissioners have been laid down in any Town or Borough, it shall be lawful for the Owners of and other Persons interested in any House or Tenement situate without the Limits of such Town or Borough, at their own Expense, to lay down Main Pipes and Service Pipes, and to connect the same with the Main Pipes of the said Commissioners, such Connexion to be made under the Superintendence and to the Satisfaction of the Engineer for the Time being to the said Commissioners; and when and so soon as such Connexion shall have been made and completed, the said Commissioners shall supply such House or Tenement with Water for domestic Purposes at a Rate not exceeding that which shall be assessed upon the Houses and Tenements within any such Town or Borough; and it shall be lawful for the Commissioners to make Byelaws regulating all or any Matters and Things whatsoever connected with the Water to be supplied within or without the Town through their Pipes.

Commissioners may make Byelaws in reference to Water.

Penalty for injuring Waterworks, diverting Streams, or wasting Water.

LIV. Whosoever shall wilfully or carelessly break, injure, or open any Lock, Cock, Waste-pipe, or Waterworks belonging to or under the Management or Control of the Commissioners, or shall unlawfully divert or take Water from any Waterworks belonging to or under the Control of the Commissioners, or from any Waters by which such Waterworks are supplied, or shall wilfully or negligently waste any Water with which he is supplied by the Commissioners, shall for every such Offence forfeit a Sum not exceeding Two Pounds, and a further Penalty not exceeding Ten Shillings for each Day whilst the Offence is continued after written Notice in that Behalf, which Penalties shall be paid to the Commissioners; and whosoever shall bathe in any Stream, Reservoir, or other Waterworks, belonging to or under the Control of the Commissioners, or shall wash, throw, or cause to enter therein any Animal, Rubbish, or Thing of any kind, or shall cause or permit or suffer to run or be brought therein the Water of any Sink, Sewer, Drain, Engine, or Boiler, or other filthy, unwholesome, or improper Water, or shall do anything whatsoever whereby any Water belonging to the Commissioners, or under their Management or Control, shall be fouled, shall for every such Offence forfeit a Sum not exceeding Two Pounds, and a further Sum not exceeding Twenty Shillings for each Day whilst the Offence is continued, after written Notice in that Behalf, which Penalties shall be paid to the Commissioners; and whosoever, being Proprietor of any Gasworks, or engaged or employed in the Manufacture or Supply of Gas, causes or suffers to be brought or to flow into any Stream, Reservoir, or Waterworks belonging to or under the Management or Control of the Commissioners, or into any Drain or Pipe communicating therewith, any Washing or other Substance produced in the Manufacture or Supply of Gas, or shall wilfully do any Act connected with the Manufacture or Supply of Gas, whereby the Water in any such Stream, Reservoir, or Waterworks is fouled, shall forfeit to the Commissioners for every such Offence a Sum not exceeding One hundred Pounds, and, after the Expiration of Twenty-four Hours Notice in Writing from them in this Behalf, a further Sum not exceeding Ten Pounds for every Day during which the Offence is continued; and if any Water belonging to or under the Management or Control of the Commissioners be fouled in any Manner by the Gas of any such Proprietor or Person, he shall forfeit to the Commissioners for every such Offence a Sum not exceeding Ten Pounds, and a further Sum not exceeding Five Pounds for every Day whilst the Offence is continued after the Expiration of Twenty-four Hours Notice in Writing from the Commissioners in this Behalf; and for the Purpose of ascertaining whether such Water is fouled by the Gas of any such Proprietor or Person, the Commissioners may lay open and examine any Pipes, Conduits, and Works from which the Gas is supposed to escape; provided that before beginning so to do Twenty-four Hours Notice in Writing be given to the Person to whom such Pipes, Conduits, or Works belong, or under whose Management or Control they may be, of the Time at which the Examination is intended to be made; and if upon such Examination it appear that the Water has been fouled by the Gas proceeding from the Works examined, the Expenses of the Examination shall be paid and borne by the Person

Penalties on Persons for causing Water in Reservoirs to be fouled;

and on Proprietors of Gasworks, &c.

to

to whom such Works belong, or under whose Management or Control they may be, and be recoverable from him in the same Manner as any Debt may be recovered by the Law of *Ireland*; but if it appear that the Water has not been so fouled, then such Expenses, and all Damages occasioned by the Examination, shall be paid by the Commissioners out of the general Assessments levied under this Act, and be recoverable from them upon summary Proceeding by Civil Bill or otherwise, as any Debt may be recovered by the Law of *Ireland*.

And with respect to Things to be done by the Commissioners by special Order only, and with respect to Clocks, and with respect to Entry by the Commissioners or their Officers in execution of this Act, and with respect to ensuring the Execution of the Works by this Act required to be done by the Owners or Occupiers of Houses or Lands, be it enacted as follows:

Special Order; Clocks; Entry of Commissioners; Execution of Works.

LV. So much of "The Towns Improvement Clauses Act, 1847," as relates to Things to be done by the Commissioners by special Order only, and so much thereof as relates to Clocks, and so much thereof as relates to Entry by the Commissioners or their Officers in execution of the Act, and so much thereof as relates to ensuring the Execution of Works required to be done by the Owners or Occupiers of Houses or Lands, shall be incorporated with and form Part of this Act.

And with respect to the Sale of Gunpowder, be it enacted as follows:

Regulations as to Gunpowder.

LVI. No Gunpowder shall be sold within the Town by Candle or other artificial Light, under a Penalty not exceeding One Pound for each Offence; and no Person shall keep at any Time more than Ten Pounds Weight of Gunpowder, except by special Permission of the Commissioners, signed by the Chairman and Two of the said Commissioners, and under such Regulations for its safe Custody as they may approve and determine, under a Penalty for the First Offence of any Sum not exceeding One Pound, for the Second Offence not exceeding Three Pounds, and for the Third or any subsequent Offence not exceeding Five Pounds, besides Forfeiture of all the Gunpowder which shall be found exceeding the aforesaid Weight; and the aforesaid Quantity of Gunpowder allowed to be kept as aforesaid shall be deposited in a Place separate from all other Goods and Commodities, and shall be secured by Lock and Key, under a Penalty not exceeding One Pound to be paid for each Offence by the Occupier of the Premises in which such Quantity not so kept and secured as aforesaid shall be found: Provided always, that nothing herein contained shall apply to any Quantity of Gunpowder provided for Military or Constabulary Purposes.

And with respect to the Byelaws to be made by virtue of this Act, be it enacted as follows:

Byelaws to be confirmed. Notice of Confirmation to be given.

LVII. So much of "The Towns Improvement Clauses Act, 1847," and of "The Commissioners Clauses Act, 1847," as relates to the Byelaws to be made by virtue of said Acts, shall, save as next herein provided, be incorporated with and form Part of this Act: Provided that no Byelaw made by the Commissioners under the Authority of this Act shall come into operation until the same be confirmed by the Lord Lieutenant, who is hereby empowered to inquire into any Byelaws tendered for that Purpose, and to allow or disallow of the same as he may think meet; provided also, that no such Byelaws be confirmed unless Notice of the Intention to apply for a Confirmation of the same have been given in One or more Newspapers circulating within the Town (if any), or otherwise in some Newspaper circulating in the County in which the Town is situated, One Month at least before the making of such Application; and any Person desiring to object to any such Byelaw, on giving to the Commissioners Notice of the Nature of his Objection Ten Days before the making of the Application for the Allowance thereof, may transmit to the Lord Lieutenant a Memorial containing the Grounds of such Objection; and if such Byelaws should be thereupon confirmed, in the whole or in part, the Order for such Confirmation, in the whole or in part, shall be signed under the Hand of the Chief or Under Secretary of the Lord Lieutenant, of which Order a Copy shall be published in One or more such Newspapers as aforesaid, and such Publication shall be deemed Evidence of such Byelaws.

And with respect to the Contracts to be entered into, and the Deeds to be executed by the Commissioners, be it enacted as follows:

Incorporation Clause Contracts.

LVIII. So much of "The Commissioners Clauses Act, 1847," as relates to the Contracts to be entered into, and the Deeds to be executed by the Commissioners, shall be incorporated with and form Part of this Act.

And

And with respect to the Appointment and Accountability of the Officers of the Commissioners, other than those herein-before provided for, be it enacted as follows:

Clerk, Treasurer, Collector, &c.

LIX. So much of "The Commissioners Clauses Act, 1847," as relates to the Appointment and Accountability of the Officers of the Commissioners, save as herein next provided, shall be incorporated with and form Part of this Act: Provided that the Commissioners shall in all Cases appoint some Bank or Banking Company to act as their Treasurer, and that it shall not be necessary to require from such Bank or Banking Company any Security for the due Execution of such Office as required by said Act; provided also, that the Drafts to be drawn on said Bank on account of said Commissioners shall be drawn at a Meeting of the Commissioners, and there signed by the Chairman of the Meeting and by Two other Commissioners, and no Drafts on the said Account shall be drawn for any private Purpose on any Pretence whatever, nor for any other Purpose than the Payments which shall from Time to Time be authorized by the Commissioners for the Purposes of this Act, as the same shall be certified to the said Treasurer by the Clerk to the Commissioners, who shall countersign all such Drafts.

How Drafts to be drawn.

And with respect to General Assessments under this Act, be it enacted as follows:

Commissioners to make Assessment for the Purposes of this Act.

LX. Once in each Year the Commissioners shall assess all Occupiers of Premises within the Town and the Boundaries thereof, as before determined on and declared and settled, rated in respect of such Premises under the Acts for the Relief of the Destitute Poor in the Sums necessary to be levied for the Purposes of this Act, other than by way of Private or District Assessments, and shall fix a Day, not being less than One Month from the Date of laying on such Assessment, on which the same shall be payable; and the Rate of Assessment, and Day so fixed by the Commissioners, shall be published by Handbills posted in the Town, and by Advertisement in any Newspaper or Newspapers published therein (if any), or otherwise in some Newspaper or Newspapers published nearest to such City or Town: Provided that such Assessment other than Private and District Assessments shall not in any Year exceed the Rate of One Shilling and Sixpence in the Pound where the Enactments of this Act with respect to Water have been adopted, or the Rate of One Shilling in the Pound where such Enactments with respect to Water have not been adopted; provided that all unoccupied Houses, Tenements, or Premises, being at the Time of such Assessment unproductive to the Lessors or Landlords thereof, shall be exempt from Taxation under this Act during the Period that such Premises are so unoccupied and unproductive, and no longer.

Assessment Book to be made up, and Objections how to be entered and disposed of by the Commissioners.

LXI. The Clerk of the Union shall, on the Requisition of the Commissioners, produce the Rate Book of the Union, and the said Commissioners shall annually cause to be made up a Book of Assessment, to be signed by the Chairman and Two others of the Commissioners, showing the net annual Value of the whole Premises in the Town under the Poor Law Valuation liable to be assessed under this Act, and according to which the Assessments under this Act are intended to be levied; and such Book of Assessment shall be open to Inspection by all Ratepayers, in the Hands of the Clerk; and the Commissioners shall have Power to rectify any Mistake or Error, upon the ground of any Variance from the last Assessment for Poor Rates, or on the ground of any Change of Occupation of Premises since such last Assessment for Poor Rates; and in each Year a Copy of the said Book of Assessment, as finally adjusted by the Commissioners, signed by the Chairman and Two Commissioners, and countersigned by the Clerk, shall be delivered over to the Collector, as the Rule for levying and collecting the annual Assessment under this Act, and shall be deemed to be Evidence of each and every separate Assessment for the Purposes of this Act.

Copy of Assessment Book to be given to Collector.

Rating of Railways and Canals.

LXII. For the Purpose of any Rate to be made or levied under the Provisions of this Act or of any Act incorporated herewith, all Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands, or Market Gardens, or Nursery Grounds, and all Lands covered with Water, and used as a Canal, and any Towing-path to the same, and all Lands used as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed and liable in the Proportion of One Fourth Part only of the net annual Value of such Lands respectively.

Assessment may be levied by Distress

LXIII. If any Person so rated and assessed as aforesaid shall refuse or neglect to pay the Assessment charged upon him for the Space of Ten Days next after the same shall be due and

and demanded by the Collector, it shall be lawful for the Collector to levy the same by Distress and Sale of any Goods and Chattels of such Person which may be found either on the Premises chargeable, or on any Premises within the Town rented or possessed by the Person so assessed, rendering to the Owner of such Goods and Chattels the Overplus (if any), after deducting the Expenses of distraining, not exceeding Twelvepence in the Pound on the Sum for which such Distress may have been made; or in case the Collector shall not think it expedient to proceed by Distress, then it shall be lawful for him to leave at the Dwelling House of the Party chargeable for or in respect of such Premises a Notice, bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Sum applotted within Ten Days from the Date of such Notice, and expressing that within Ten Days the Money demanded may be paid to the Collector at his House or Office; and if such Money be not so paid within such Time, then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace having Jurisdiction in such Town, and such Justice shall summon the Party so complained against to appear before him, or any other Justice of the Peace sitting in Petty Sessions, and answer the said Complaint, and shall, at the Time specified in such Summons, examine into the Matter of such Complaint on Oath, and shall direct the Payment to such Collector of such Money as he shall find due and payable under such Assessment by the Party complained against, together with a Sum certain for such reasonable Costs and Charges as to such Justice shall seem meet; and in default of the Appearance of such Party, or upon his or her Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall and may be lawful for such Justice, or for any Justice of the Peace having Jurisdiction in such Town, to issue his Warrant authorizing and empowering the said Collector to levy the Money thereby ordered to be paid, by Distress and Sale of any Goods or Chattels of the Party so complained against, which may be found within the Town, rendering the Overplus (if any) to him or her, the necessary Charges and Expenses of distraining being thereout first deducted, as directed by such Justice; and the Collector shall be bound to preserve the Warrants of such Seizures or Sales, and enter in a Book to be kept for that Purpose the Names of the Parties proceeded against, the Assessment due, the Expense of the Proceedings, and the true Proceeds of each Sale, which Book shall be open to the Inspection (without any Fee) of all Parties interested for Three Months after the Date of each Sale respectively; and at any Time within that Period it shall be competent to any Party considering himself aggrieved to complain to any such Justice of anything done unjustly or oppressively in regard of such Seizure or Sale, such Complaints being made in the Form of Petitions subscribed by the Complainer, and the Decision of such Justice shall be final; or otherwise the Collector shall be and he is hereby authorized and empowered to sue for and recover all or any Part of such Assessment in arrear by Personal Action or by Suit before the Civil Bill Court of the Assistant Barrister having Jurisdiction in that Behalf as to such Town, or otherwise according to Law; and no Misnomer, Mistake, or Informality committed in any Proceedings for Recovery of any Assessment under this Act shall prejudice the Recovery of such Assessment and Expenses, nor shall such Proceedings abate by the Death, Resignation, or Removal of the Collector instituting the same, or by any Change in the Persons holding Office as Commissioners, but it shall be lawful for the Collector for the Time to prosecute and follow forth Proceedings commenced and carried on in the Name of any previous Collector in all respects as if such Proceedings had been taken by himself: Provided always, that it shall not be competent for any Person to sue, nor for any Court of Law to entertain, any Action or Proceeding against the Commissioners, or the Collector or Officers or other Persons employed in executing any Warrant in reference to any Assessment under this Act, by reason of any Mistake, Informality, or Misnomer, if the Goods or other Effects seized or sold under such Warrant were *bonâ fide* the Property or in the lawful Possession of the Person actually liable to Payment of such Assessment under the Provisions of this Act.

and Sale, or upon a Complaint to be made to a Justice who shall summon the Party.

In default of Appearance, Goods of Party may be distrained.

Power to proceed by Action or Suit.

LXIV. Whenever the net annual Value of the rateable Hereditaments in any such Town actually occupied by any Person or Persons shall not exceed Four Pounds the Assessment under this Act in respect of such Property shall be made on the immediate Lessor or Lessors of such Person or Persons: and if at the Time of making any such Assessment the Name of

Immediate Lessors of Property of less Value than 4*l.* to be

assessed for the same.

of the immediate Lessor be not accurately known to the Persons making the Assessment, it shall be sufficient to describe him therein as "the Immediate Lessor," with or without any Name or further Addition, and such Assessment shall be held to be duly made on him by such Description, and shall be recoverable from him accordingly, notwithstanding any Error or Defect in his Name or Description, or the entire Omission of his Name therein: Provided, that wherever any Occupier shall claim to be and shall be accordingly rated to the Relief of the Poor although the net annual Value of the rateable Hereditaments occupied in any Town by such Person shall not exceed Four Pounds, the Assessment under this Act shall be made upon the Person so claiming to be rated to the Relief of the Poor.

Recovery of Assessment from Lessors by Action or Civil Bill, or by Warrant of Distress.

LXV. Any Assessment made as aforesaid on any Lessor shall be recovered from him by Personal Action in the Name of the Clerk of the Commissioners, and, by their Direction, against such Lessor in any of the Superior Courts of Record in *Dublin*, or by Civil Bill in the Court of proper Jurisdiction; or, where such Lessor resides within such Town, the Collector may leave at the Dwelling House of such Lessor such a Notice as herein-before provided requiring Payment of the Assessment within Ten Days; and if such Assessment be not paid within such Time, the same may be recovered upon a Complaint before a Justice, and by Distress and Sale, under the Warrant of a Justice, of the Goods of such Lessor, in manner herein-before provided as to Assessments; and if a sufficient Distress of the Goods and Chattels of such Lessor cannot be found within such Town, then on Oath thereof made before any Justice of the Peace of any County in which any of the Goods and Chattels of such Lessor may be found, the Goods or Chattels of such Lessor shall be subject and liable to such Distress and Sale in such County where the same may be found, and may by virtue of such Warrant be distrained and sold in the same Manner as if the same had been found within such Town; and if such Assessment be not paid by such Lessor within Four Months after the making thereof, it shall be lawful for the Collector, by Direction of the Commissioners, to give a Notice in Writing as aforesaid to the Occupier or respective Occupiers for the Time being of any such Property to pay the Assessment due in respect of the Property in his or their Occupation; and after the Expiration of One Calendar Month from the Time of giving such Notice it shall be lawful to recover such last-mentioned Assessment from every such Occupier, or, in his Default, from any subsequent Occupier of the Premises; and every such Occupier so paying such Assessment may deduct from the Rent he may be then or next thereafter liable to pay in respect of any such Property the whole of any such Assessment he may have paid in respect of the same Property; and if Rent sufficient to cover such Assessment be not then or do not thereafter become due from such Occupier, he shall be entitled to recover the same from such Lessor by Civil Bill; and so much of "The Towns Improvement Clauses Act, 1847," as relates to the Manner of making Rates, shall be incorporated with and form Part of this Act.

If Assessment be not paid by the Lessor, it may be recovered from the Occupier, who may deduct it from Rent.

And with respect to Private and District Assessments for Sewers, Drains, and Private Improvements, be it enacted as follows:

Private Assessments.

LXVI. So much of "The Towns Improvement Clauses Act, 1847," as relates to Rates directed to be made for Sewers, Drains, and Private Improvements shall be incorporated with and form Part of this Act; and the said Commissioners shall cause to be made up a Book of Assessment applicable thereto, and the same or a Copy thereof, signed by the Chairman and any Two of the Commissioners, shall forthwith be delivered over to the Collector as the Rule for levying and collecting the said Assessments; and thereupon the several Provisions of this Act in reference to the Recovery of any other Assessments by this Act authorized shall apply to and be available for the Recovery of such Private and District Assessments.

Recovery thereof.

And with respect to the Appeal to be made against any Private or District Assessment, be it enacted as follows:

How Objections to be entered and disposed of.

LXVII. The Commissioners shall appoint a Day on which every Assessment shall be payable, and another Day on which Objections by any Parties complaining that they have been improperly assessed may be lodged with the Clerk, and another Day or Days, at an Interval of One Week at the least respectively, on which Objections in reference to such Assessment shall be heard by the Commissioners; and Notice to each Party intended to be

so assessed, stating the Particulars of the intended Assessment as regards such Party, and specifying the several Days fixed by the Commissioners as aforesaid, shall be sent by the Clerk through the Post Office at least Two Weeks preceding the Day which may be fixed for hearing the Objection of Parties; and the Commissioners may rectify or alter any Assessment as regards any Person assessed or liable to be assessed therefor, by whom an Objection may be taken by Letter to the Clerk, lodged with him on or before such Day for lodging Objections as the Commissioners shall have fixed as aforesaid: Provided, that it shall be lawful for any Person considering himself aggrieved by any Assessment to appeal from the Decision of the Commissioners to the Assistant Barrister at the General or Quarter Sessions for the Division, who shall hear and determine such Appeal, and make such Order thereupon, and as to the Costs thereof, as shall be just, and such Determination upon such Appeal shall be final.

And with respect to the Accounts to be kept by the Commissioners, be it enacted as follows:

Accounts.

LXVIII. So much of "The Commissioners Clauses Act, 1847," as relates to the Accounts to be kept by the Commissioners shall be incorporated with and form Part of this Act; provided that the Appeal thereby directed shall, in Towns adopting the Provisions of this Act, be brought before the Court of the Assistant Barrister, who shall hear and determine the same, and make such Order in respect thereof, and of the Costs thereby incurred, as shall be just, and such Determination shall be final.

And with respect to the borrowing of Money for the Purposes of this Act, be it enacted as follows:

Power to Commissioners to borrow Money for the Purposes of this Act, but not beyond the fixed Rate of Assessment.

LXIX. It shall be lawful for the Commissioners, with the Approval of the Lord Lieutenant signified in Writing by the Chief Secretary or Under Secretary, to borrow, for the Purpose of procuring or erecting a Slaughter-house, or for erecting Lamps, or for constructing Common Sewers, or for procuring or supplying Water or Gas, or Fire Engines, or for any of the Purposes authorized by this Act, such Sums and at such Times, as the Commissioners shall deem necessary for such Purposes; provided, that in all Cases where it shall be necessary to borrow any Sum or Sums for the Purposes of this Act, it shall be lawful for the Commissioners and they are hereby required, at their First Annual Meeting for Assessment after such borrowing, to assess all Persons within the Town liable in Assessment under this Act in such additional Assessment as will produce a Fund equal to Five *per Centum per Annum* upon the Sum or Sums so borrowed, and also to the annual Interest of such borrowed Sum or Sums, which Sum of Five *per Centum per Annum* the Commissioners shall annually appropriate and invest, at the highest Rate of Interest which can be had for the same, in the Public Funds, or in the Stock of the Governor and Company of the Bank of *England* or *Ireland*, as a Sinking Fund, applicable and to be applied by the Commissioners to the Repayment of the Money borrowed, until the Debt shall be extinguished; provided that such additional Assessment shall at no Time increase the whole Assessment leviable beyond the maximum Rate of Assessment of One Shilling and Sixpence in the Pound allowed by this Act; and provided also, that no Sum of Money shall be borrowed until an Estimate of the Amount required shall have been laid before the Commissioners, and until the Expiration of Six Weeks after public Notice shall have been given by the Commissioners of the Amount so proposed to be borrowed, and the Purpose to which the same is to be applied, in some Newspaper in Circulation within such Town; and provided also, that the Proposal to borrow shall be disposed of at the next Meeting of the Commissioners Six Weeks after such Public Notice, and that the Sum borrowed shall not exceed the Amount so advertised without a further Estimate and Notice in manner above provided; and no Commissioner or Officer acting under them shall be personally liable for the Repayment of any Money so borrowed, but all such Obligations shall be deemed and taken to be granted on the sole Security of the Rates and Assessments authorized to be assessed and levied as herein-before provided; and, save as above provided, so much of "The Commissioners Clauses Act, 1847," as relates to Mortgages to be executed by the Commissioners shall be incorporated with and form Part of this Act.

And with respect to the Regulation of Towns, and to Obstructions and Nuisances in the Streets, and to the Suppression of Vagrants and Beggars, be it enacted as follows:

Power to prevent Obstructions in the Streets during public Processions, &c.

LXX. The Commissioners may from Time to Time make Orders for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets of the Town in all Times of public Processions, Rejoicings, or Illuminations, and in any Case when the Streets are thronged or liable to be obstructed, and may also give Directions to the Constables and Officers of the Constabulary Force for keeping Order and preventing any Obstruction of the Streets in the Neighbourhood of Theatres and other Places of public Resort; and every wilful Breach of any such Order shall be deemed an Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings.

Power to impound stray Cattle.

Power to sell stray Cattle for Penalty and Expenses.

LXXI. If any Cattle be at any Time found at large in any Street of the Town without any Person having the Charge thereof, any Constable or Officer of Constabulary, or any Person residing within the Town, may seize and impound such Cattle, and may detain the same until the Owner thereof pay to the Commissioners a Penalty not exceeding Twenty Shillings besides the reasonable Expenses of impounding and keeping such Cattle; and if the said Penalty and Expenses be not paid within Three Days after such impounding, the Person appointed by the Commissioners for that Purpose may proceed to sell such Cattle, or cause the same to be sold; but previous to such Sale, then Three Days Notice of such intended Sale shall be given by posting such Notice on the Constabulary Barrack, Pound, and other Place (if any) which may be appointed by the Commissioners for that Purpose, and the Money arising from such Sale, after deducting the said Sums, and the Expenses aforesaid, and all other Expenses attending the impounding, keeping, and Sale of any such Cattle so impounded, shall be paid to the Commissioners, and shall be by them paid, on Demand, to the Owner of the Cattle so sold.

Penalty on Persons committing any of the Offences herein named.

LXXII. Every Person who in any Street, to the Obstruction, Annoyance, or Danger of the Residents or Passengers, commits any of the following Offences, shall be liable to a Penalty for each Offence as herein-after mentioned; and any Constable or other Officer appointed by virtue of this Act shall take into Custody, without Warrant, and forthwith convey before a Justice or Justices, any Person who within his View commits any such Offence; (that is to say,)

Every Person who exposes for Show, Hire, or Sale (except in a Market or Market Place or Fair lawfully appointed for that Purpose) any Horse or other Animal; or exhibits in a Caravan or otherwise any Show or public Entertainment; or shoes, bleeds, or farries any Horse or Animals (except in Cases of Accident); or cleans, dresses, trains, or breaks, or turns loose any Horse or Animal; or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary), shall be liable to a Fine not exceeding Ten Shillings:

Every Person who suffers to be at large any unmuzzled ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal, shall be liable to a Fine not exceeding Ten Shillings:

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who, after public Notice given by any Justice or Justices at Petty Sessions, Chief Magistrate, or Chairman of Commissioners, directing Dogs to be confined on account of Suspicion of canine Madness, suffers any Dog to be at large during the Time specified in such Notice, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who slaughters or dresses any Cattle, or any Part thereof, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the public Safety or other reasonable Cause ought to be killed on the Spot, shall be liable to a Fine not exceeding Ten Shillings:

Every Person having the Care of any Waggon, Cart, or Carriage, who rides on the Shafts thereof; or who, without having Reins, and holding the same, rides upon such Waggon, Cart, or Carriage or on any Animal drawing the same; or who is at such a Distance from such Waggon, Cart, or Carriage as not to have due Control over every Animal drawing

drawing the same; or who does not, in meeting any other Carriage, keep his Waggon, Cart, or Carriage to the left or near Side, or who in passing any other Carriage does not keep his Waggon, Cart, or Carriage on the right or off Side of the Road (except in Cases of actual Necessity, or some sufficient Reason for Deviation); or who, by obstructing the Street, wilfully prevents any Person or Carriage from passing him, or any Waggon, Cart, or Carriage under his Care, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who at One Time drives more than Two Carts or Waggons, and every Person driving Two Carts or Waggons who has not the Halter of the Horse in the last Cart or Waggon securely fastened to the Back of the First Cart or Waggon, or has such Halter of a greater Length from such Fastening to the Horse's Head than Four Feet, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who rides or drives furiously any Horse or Carriage, or drives furiously any Cattle, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who causes any Public Carriage, Sledge, Truck, or Barrow, with or without Horses, or any Beast of Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses and other Beasts of Draught or Burden, standing for Hire in any Place appointed for that Purpose by the Commissioners or other lawful Authority); and every Person who, by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Animal, or other Means, wilfully interrupts any public Crossing, or wilfully causes any Obstruction in any public Footpath or other public Thoroughfare, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who causes any Tree or Timber, or Iron Beam, to be drawn in or upon any Carriage, without having sufficient Means of safely guiding the same, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who leads or rides any Horse or other Animal, or draws or drives any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway of any Street, or fastens any Horse or other Animal so that it stands across or upon any Footway, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandise, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing-place, Stool, Bench, Stall, or Showboard on any Footway, or who places any Blind, Shade, Covering, Awning, or other Projection over and along any such Footway, unless such Blind, Shade, Covering, Awning, or other Projection is Eight Feet in Height at least in every Part thereof from the Ground, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who places, hangs up, or otherwise exposes to Sale any Goods, Wares, Merchandise, Matter, or Thing whatsoever, so that the same project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same are so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway, shall be liable to a Fine not exceeding Twenty Shillings:

Every Person who places any Line, Cord, or Pole across any Street, or hangs or places any Clothes thereon, shall be liable to a Fine not exceeding Twenty Shillings:

Every common Prostitute or Nightwalker loitering and importuning Passengers for the Purpose of Prostitution, or being otherwise offensive, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who wilfully and indecently exposes his Person, or who commits any Act contrary to public Decency, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who publicly offers for Sale or Distribution, or exhibits to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sings any profane or obscene Song or Ballad, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who wantonly discharges any Fire-arm, or throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who wilfully and wantonly disturbs any Inhabitant, by pulling or ringing any Door Bell, or knocking at any Door, or who wilfully and unlawfully extinguishes the Light of any Lamp, shall be liable to a Fine not exceeding Forty Shillings:

Every Person who flies any Kite, or who makes or uses any Slide upon Ice or Snow, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who throws or lays down any Stones, Coals, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials (except building Materials so enclosed as to prevent Mischief to Passengers), shall be liable to a Fine not exceeding Ten Shillings:

Every Person who beats or shakes any Carpet, Rug, or Mat (except Rugs or Mats beaten or shaken before the Hour of Nine in the Morning), shall be liable to a Fine not exceeding Ten Shillings:

Every Person who fixes or places any Flower Pot or Box, or other heavy Article, in any upper Window, without sufficiently guarding the same against being blown down, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who leaves open any Vault or Cellar, or the Entrance from any Street to any Cellar or Room underground, without a sufficient Fence or Handrail; or leaves defective the Door, Window, or other Covering of any Vault, Area, or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open; or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who throws or lays any Dirt, Dung, Litter, or Ashes, or Nightsoil, or any Carrion, Fish, Offal, or Rubbish, on any Street, or Sea Beach, or Strand within the Boundaries of a Town, or causes any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill, into any Street: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost to prevent Accidents, or Litter or other suitable Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things causes them to be removed as the Occasion for them ceases, shall be liable to a Fine not exceeding Ten Shillings:

Every Person who keeps any Pigstye to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence, or who keeps any Swine in or near any Street, so as to be a common Nuisance, shall be liable to a Fine not exceeding Forty Shillings:

Every Person drunk in any Street or guilty of any riotous or indecent Behaviour in any Street, Police Office, or Petty Sessions Court, or any Police Station House within the Town, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence, or, in the Discretion of the Justice or Justices before whom he is convicted, to Imprisonment for a Period not exceeding Seven Days.

Fire Engines may be provided and Firemen employed by the Commissioners.

LXXIII. The Commissioners may provide such Engines for extinguishing Fire, and such Appurtenances for such Engines, and such Fire Escapes and other Implements for Safety or Use, in case of Fire, and keep or hire such Horses for drawing such Engines as they think fit, and employ a proper Number of Persons to act as Firemen, and make such Rules for their Regulation as they think proper, and give such Firemen and other Persons such Salaries and such Rewards for their Exertions in Cases of Fire as they think fit; and the Commissioners may send such Engines, and the said Firemen, beyond the Boundaries of the Town, for extinguishing Fire in the Neighbourhood of the Town, and the Owner of the Premises shall in such Case defray the actual Expense which may be thereby incurred, and shall

Fire Police permitted to go beyond the Limits of the Town in certain Cases.

shall also pay to the Commissioners a reasonable Charge for the Use of such Engines, and for the Attendance of such Firemen; and the Amount of the said Expenses and Charges, as well as the Propriety of sending the said Engines and Firemen as aforesaid for extinguishing such Fire (if the Propriety thereof be disputed), shall be determined by the Justices at Petty Sessions, whose Decision shall be final; and the Amount of the said Expenses and Charges shall be recovered by the Commissioners as Damages.

And with respect to Places of public Resort, be it enacted as follows:

Penalty on Victuallers entertaining Constables while on Duty.

Penalty for harbouring disorderly Persons.

LXXIV. Every Victualler, or Keeper of any Public House, or Person licensed to sell fermented or distilled Liquors by Retail, to be drunk or consumed on the Premises, within the Town, who harbours or entertains in his Public House or Place wherein he carries on his Business any Constable during any Part of the Time for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, shall for every such Offence be liable to a Penalty not exceeding Twenty Shillings; and every Person keeping any Place of public Resort within the Town for the Sale or Consumption of Refreshments of any kind, who knowingly suffers common Prostitutes or reputed Thieves to assemble and continue in his Premises, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Persons keeping Places for baiting Animals; and on Persons found therein.

LXXV. Every Person who within the Town keeps or acts in the Management of any House or Place for the Purpose of fighting, baiting, or worrying any Animals, shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Magistrate before whom he is convicted, to Imprisonment, with or without Hard Labour, for a Time not exceeding One Month; and the Commissioners may, by Order in Writing, authorize the Officer of Police, with such Constables as he thinks necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not exceeding Five Shillings; and a Conviction of this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any penal Consequence to which he is liable for the Nuisance thereby occasioned.

Penalty against Swindlers, &c.

LXXVI. And be it enacted, That all Thimblers, loaded Dice Players, and other Swindlers of that or any similar Description, who shall be found in possession of Implements or Articles for practising Games of Hazard, or who shall exhibit such Implements or Articles in order to induce or who shall induce any Person to play at any Game of Hazard, or who by any fraudulent Art or Device shall cozen, cheat, or attempt to cozen or cheat any Person, may be convicted before a Justice on the Testimony of One or more Witness or Witnesses; and on Conviction shall be imprisoned for any Term not exceeding Thirty Days; and shall also at the same Time be sentenced to repay any Money or restore any Property which they may have obtained by means of any such Offence, and failing such Payment or Restoration may under the same Procedure be committed to or detained in Prison for any further Term not exceeding Thirty Days.

And with respect to public Bathing, be it enacted as follows:

Bathing Machines and Bathing.

LXXVII. Where any Part of the Seashore or Strand of any River used as a public Bathing Place is within the Town, the Commissioners may make Byelaws for the following Purposes; (that is to say,)

For fixing the Stands of Bathing Machines on the Seashore or Strand, and the Limits within which Persons of each Sex shall be set down for Bathing, and within which Persons shall bathe:

For regulating the Occupation of such Stands of Bathing Machines, and apportioning the same temporarily among the Owners of such Machines for the Time:

For preventing any indecent Exposure of the Persons of the Bathers:

For regulating the Manner in which and the Times at which the Bathing Machines shall be used, and the Charges to be made for the same:

For ensuring that the Bathing Machines shall be kept in a proper State of Repair:

For regulating the Distance at which Boats and Vessels let to hire for the Purpose of sailing or rowing for Pleasure shall be kept from Persons bathing within such prescribed Limits.

And with respect to Hackney Carriages, be it enacted as follows:

What to be Hackney Carriages.

LXXVIII. Every wheeled Carriage, whatever may be its Form or Construction, used in standing or plying for Hire in any Street within Four Miles from the Post Office of the Town, and every Carriage standing upon any Street within such Distance, having thereon any numbered Plate required by this Act to be fixed upon a Hackney Carriage, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, shall be deemed to be a Hackney Carriage within the Meaning of this Act; and in all Proceedings at Law or otherwise the Term "Hackney Carriage" shall be sufficient to describe any such Carriage: Provided, that no Stage Coach used for the Purpose of standing or plying for Passengers to be carried for Hire at separate Fares, and duly licensed for that Purpose, and having thereon the proper numbered Plates required by Law to be placed on such Stage Coaches, shall be deemed to be a Hackney Carriage within the Meaning of this Act.

Hackney Carriages to be licensed.

Fee to be paid for Licences.

Persons applying for Licence to sign a Requisition for same.

LXXIX. The Commissioners shall from Time to Time license to ply for Hire, within such prescribed Distance, such Hackney Coaches or Carriages, of any Kind or Description adapted to the Carriage of Persons, as shall be necessary; and for every such Licence there shall be paid to the Clerk, or other Person appointed by them to receive the same, such Sum as the Commissioners direct, not exceeding Five Shillings: Provided that before any such Licence is granted, a Requisition for the same, in such Form as the Commissioners may provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage in respect of which such Licence is applied for, and in every such Requisition shall be truly stated the Name and Surname and Place of Abode of the Person applying for such Licence and of every Proprietor or part Proprietor of such Carriage; and any Person who, on applying for such Licence, states in such Requisition the Name of any Person who is not a Proprietor or part Proprietor of such Carriage, and also any Person who wilfully omits to specify truly in such Requisition as aforesaid the Name of any Person who is a Proprietor or part Proprietor of such Carriage, shall be liable to a Penalty not exceeding Five Pounds.

What shall be specified in the Licence.

Licence to be in force for One Year only.

Licences to be registered.

Penalty for plying for Hire without a Licence.

LXXX. In every such Licence shall be specified the Name and Place of Abode of every Person who is a Proprietor or part Proprietor of the Hackney Carriage in respect of which such Licence is granted, and also the Number of such Licence which shall correspond with the Number to be painted or marked on the Plates or Marks to be fixed on such Carriage, together with such other Particulars as the Commissioners think fit; and every Licence so to be granted shall be signed by Two or more of the Commissioners, and shall not include more than One Carriage so licensed, and shall be in force from One Year only from the Day and the Date of such Licence, or until the next General Licensing Meeting, in case any General Licensing Day be appointed by the Commissioners; and every such Licence shall be made out by the Clerk of the Commissioners, and duly entered in a Book to be provided by him for that Purpose, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Proprietor or Driver or Person attending such Carriage; and any Person may at any reasonable Time inspect such Book without Fee or Reward; and if the Proprietor or part Proprietor of any Carriage permits the same to be used as a Hackney Carriage plying for Hire within such prescribed Distance without having obtained a Licence for such Carriage, or during the Time that such Licence is suspended as herein-after provided, or if any Person be found driving, standing, or plying for Hire with any Carriage within such prescribed Distance for which such Licence ought to be, but has not been, previously obtained, or without having the Number of such Carriage openly displayed on such Carriage, every Person so offending shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.

LXXXI. So often as any Person named in any such Licence as the Proprietor or One of the Proprietors changes his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing, signed by him, to the Commissioners, specifying in such Notice his new Place of Abode; and he shall at the same Time produce such Licence at the Office of the Commissioners, who shall, by their Clerk, or some other Officer, endorse thereon and sign a Memorandum specifying the Particulars of such Change; and any Person named in any such Licence as the Proprietor or One of the Proprietors of any Hackney Carriage, who changes his Place of Abode, and neglects or wilfully omits to give Notice of such

such Change, or to produce such Licence in order that such Memorandum as aforesaid may be endorsed thereon, as directed by this Act, shall be liable to a Penalty not exceeding Forty Shillings.

Drivers not to act without first obtaining a Licence.

LXXXII. No Person shall act as Driver of any Hackney Carriage licensed in pursuance of this Act, without first obtaining a Licence from the Commissioners, which Licence shall be registered by the Clerk to the Commissioners, and a Fee of One Shilling shall be paid for the same; and every such Licence shall be in force until the same is revoked, except during the Time that the same may be suspended as after mentioned; and if any Person acts as such Driver without having obtained such Licence, or during the Time that his Licence is suspended, or if he lend or part with his Licence, except to the Proprietor of the Hackney Carriage, or if the Proprietor of any Hackney Carriage employ any Person as the Driver thereof who has not obtained such Licence, or during the Time that his Licence is suspended as herein-after provided, every such Driver and every such Proprietor shall for every such Offence respectively be liable to a Penalty not exceeding Twenty Shillings; and the Commissioners may, upon the Conviction for the Second Time of the Proprietor or Driver of any Hackney Carriage for any Offence under the Provisions of this Act with respect to Hackney Carriages, or any Byelaw made in pursuance thereof, suspend or revoke, as they deem right, the Licence of any such Proprietor or Driver.

Penalty on Drivers acting without Licence.

Licences to be suspended or revoked for Misconduct.

Number of Persons to be carried in a Hackney Carriage to be painted thereon.

LXXXIII. No Hackney Carriage shall stand or ply for Hire within such prescribed Distance, unless the Number of Persons to be carried by such Hackney Carriage, in Words at Length, and in Form following, (that is to say,) "To carry Persons," be printed on some conspicuous Place on the Outside of such Carriage, in legible Letters, so as to be clearly distinguishable from the Ground whereon the same are painted; and the Driver of any Hackney Carriage shall not be required to carry a greater Number of Persons than the Number painted thereon, and if the Proprietor of any Hackney Carriage permit the same to be used, or if any Person stand or ply for Hire with such Carriage, without having the Number of Persons to be carried thereby painted in manner aforesaid, or if the Driver of any Hackney Carriage refuse, when required by the Hirer thereof, to carry in or by such Hackney Carriage such Number of Persons, or any less Number, every Proprietor or Driver so offending shall be liable to a Penalty not exceeding Forty Shillings; and any Driver of a Hackney Carriage standing at any of the Stands for Hackney Carriages, or in any Street, who refuses or neglects, without reasonable Excuse, to drive such Carriage to any Place within such prescribed Distance, or any Distance to be appointed by any Byelaw of the Commissioners, to which he is directed to drive by the Person hiring or wishing to hire such Carriage, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

Penalty for Neglect or for Refusal to carry the prescribed Number.

Penalty on Driver for refusing to drive.

Penalty for demanding more than the Sum agreed for, though less than the legal Fare.

LXXXIV. If the Proprietor or Driver of any Hackney Carriage agree beforehand with any Person to take for any Job a Sum less than the Fare allowed by this Act, or any Byelaw made thereunder, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if he exact or demand for such Job more than the Fare so agreed upon; and no Agreement whatever made with the Driver, or with any Person having the Care of any Hackney Carriage, for the Payment of more than the Fare allowed by any Byelaw made under this Act, shall be binding on the Person making the same, and any such Person may, notwithstanding such Agreement, refuse to pay any Sum beyond the Fare allowed; and if any Person actually pay to the Driver of any Hackney Carriage any Sum exceeding the Fare to which such Driver was entitled, the Person paying the same shall be entitled, on Complaint made against such Driver before a Justice, to recover back the Sum paid beyond the proper Fare, and moreover such Driver shall be liable to a Penalty for such Exaction not exceeding the Sum of Forty Shillings; and in Default of the Repayment by such Driver of such Excess, or of Payment of the said Penalty, the Justice shall forthwith commit such Driver to Prison, there to remain for any Time not exceeding One Month, unless the said Excess of Fare and the said Penalty be sooner paid; and every Proprietor or Driver of any Hackney Carriage who is convicted of taking as a Fare a greater Sum than is authorized by any Byelaw made under this Act shall be liable to a Penalty not exceeding Forty Shillings, and such Penalty may be recovered before a Justice; and in the Conviction

Agreement to pay more than the legal Fare not to be binding.

Sum beyond the proper Fare may be recovered back.

Overcharge by the Hackney Coachmen, &c., to be included in Conviction,

and returned to aggrieved Party.

Conviction of such Proprietor or Driver an Order may be included for Payment of the Sum so overcharged, over and above the Penalty and Costs, and such Overcharge shall be returned to the Party aggrieved, whose Evidence shall be admissible in proof of such Offence.

Penalty on Drivers misbehaving.

LXXXV. If the Driver or any other Person having the Care of any Hackney Carriage be intoxicated while driving, or if any such Driver or other Person by wanton and furious driving, or by any other wilful Misconduct, injure or endanger any Person in his Life, Limbs, or Property, he shall be liable to a Penalty not exceeding Five Pounds, and in default of Payment thereof the Justice before whom he is convicted of such Offence may commit him to Prison, there to remain for any Time not exceeding Two Months; and any Driver of any Hackney Carriage who suffers the same to stand for Hire across any Street or alongside of any other Hackney Carriage, or who refuses to give way, if he conveniently can, to any other Carriage, or who obstructs or hinders the Driver of any other Carriage in taking up or setting down any Person into or from such other Carriage, or who wrongfully in a forcible Manner prevents or endeavours to prevent the Driver of any other Hackney Carriage from being hired, shall be liable to a Penalty not exceeding Twenty Shillings; and in every Case in which any Hurt or Damage has been caused to any Person or Property as aforesaid by the Driver of any Carriage let to hire, the Justice before whom such Driver has been convicted may direct that the Proprietor of such Carriage shall pay such Sum not exceeding Five Pounds as appears to such Justice a reasonable Compensation for such Hurt or Damage; and every Proprietor who pays any such Compensation as aforesaid may recover the same from the Driver; and such Compensation shall be recoverable from such Proprietor, and by him from such Driver, as Damages.

Improperly standing with Carriages, refusing to give way to, or obstructing any other Driver, or depriving him of his Fare.

Damage done by Driver may be recovered from the Proprietor.

Penalty for leaving Carriages unattended at Places of public Resort.

LXXXVI. If the Driver of any Hackney Carriage leave it in any Street, or at any Place of Public Resort or Entertainment, without some one proper to take care of it, any Constable may drive away such Hackney Carriage, and deposit it at some neighbouring Livery Stable or other Place of safe Custody; and such Driver shall be liable to a Penalty not exceeding Twenty Shillings for such Offence; and in default of Payment of the said Penalty upon Conviction, and of the Expenses of taking and keeping the said Hackney Carriage and Horse or Horses, the same, or any of them, shall be sold by Order of the Justice before whom such Conviction is made; and after deducting from the Produce of such Sale the Amount of the said Penalty, and of all Costs and Expenses, as well of the Proceedings before such Justice as of the taking, keeping, and Sale of such Hackney Carriage, and of such Horse or Horses, the Surplus (if any) of the said Produce shall be paid to the Proprietor of such Hackney Carriage.

Penalty for refusing to pay the Fare.

Penalty for damaging Carriages.

LXXXVII. If any Person refuse to pay, on Demand, to any Proprietor or Driver of any Hackney Carriage, the Fare allowed by any Byelaw made under this Act, such Fare may, together with Costs, be recovered before a Justice as a Penalty; and any Person using any Hackney Carriage plying under a Licence granted by virtue of this Act who wilfully injures the same shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage reasonable Satisfaction for the Damage sustained by the same: and such Satisfaction shall be ascertained by the Justice before whom the Conviction takes place, and shall be recovered by the same Means as the Penalty.

Commissioners may make Byelaws for regulating Hackney Carriages.

LXXXVIII. The Commissioners may from Time to Time (subject to the Restrictions of this Act) make Byelaws for all or any of the Purposes following; (that is to say,)

For regulating the Conduct of the Proprietors and Drivers of Hackney Carriages plying within such prescribed Distance in their several Employments, and for regulating the Conduct of the Owners and Boatmen of Boats plying for Hire, and determining whether such Drivers and Boatmen shall wear any and what Badges, and for regulating the Hours within which they may exercise their Calling:

For regulating the Manner in which the Number of each Carriage, corresponding with the Number of its Licence, shall be displayed:

For regulating the Number of Persons to be carried by Hackney Carriages and Boats, and in what Manner such Number is to be shown on such Carriage and Boats, and what Number of Horses or other Animals is to draw such Carriage, and the placing of Check-

Check-strings to the Carriages, and the holding of the same by the Driver, and how Hackney Carriages and Boats are to be furnished or provided:

For fixing the Stands of Hackney Carriages, and the Distance to which they may be compelled to take Passengers, not exceeding such prescribed Distance:

For fixing the Rates or Fares, as well for Time as Distance, to be paid for Hackney Carriages and Boats plying for Hire for the Carriage of Passengers within such prescribed Distance, and for securing the due Publication of such Fares:

For securing the safe Custody and Re-delivery of any Property accidentally left in Hackney Carriages and Boats, and fixing the Charges to be made in respect thereof:

For licensing Porters, and regulating their Fares.

Commissioners may appoint Watchmen.

LXXXIX. It shall be lawful for the Lord Lieutenant of *Ireland*, on the Application of the said Commissioners, to increase the Constabulary Force stationed in such Town to act as Watchmen within such Town by Night, and also, upon any special Occasions, by Day, as they may be required by the Commissioners, or any Three of them; and the said Commissioners shall provide a Watch-house and all necessary Articles for such watching, and pay out of the General Assessments, upon the Certificate of the Receiver for the Constabulary Force in *Ireland*, such proper Salaries and Wages for such additional Constables as shall be fixed by the said Lord Lieutenant; and it shall be lawful for such Constables and all other Constables to apprehend all such idle and disorderly or drunken Persons as they or any of them shall find committing any Breach of the Peace or making any improper Noise or Disturbance during the Night, or during their Watch, and to detain any such Persons till Morning, and then, or if apprehended by Day, as soon as conveniently may be, to take such Person or Persons before any Justice of the Peace for or acting in the Borough, Town, or Place, to be dealt with according to Law; and if any Victualler, Publican, or other Person or Persons selling Beer or Spirituous Liquors shall entertain or harbour in his, her, or their House any such Constable during his appointed Hours of Duty, such Victualler, Publican, or other Person or Persons shall forfeit for such Offence any Sum not exceeding Twenty Shillings.

Powers of Constables.

Penalty for harbouring Constables during the Hours of Duty.

And with respect to legal Proceedings, be it enacted as follows:

Recovery of Damages, &c.

XC. In all Cases in which the Amount of any Damages, Costs, and Expenses is by this Act directed to be ascertained or recovered in a summary Manner, the same may be ascertained by and recovered before One or more Justices, together with such Costs of the Proceedings as the said Justice or Justices may think proper; and if the Sums adjudged be not paid by the Party against whom the Adjudication is made, the same may be levied by Distress and Sale of his Goods and Chattels by Warrant under the Hand and Seal of the said Justice or Justices making the Adjudication; and any Penalty imposed by or under the Authority of this Act, or any Byelaw made under this Act, the Recovery whereof is not otherwise expressly provided for, may, upon Proof on Oath of the Offence in respect of which the Penalty is alleged to have been incurred, be recovered before One or more Justices, together with such Costs of the Proceedings as they may think proper; and if the Sums adjudged be not paid by the Party against whom the Adjudication is made the same may be levied by Distress and Sale of his Goods and Chattels by Warrant under the Hands and Seals of the said Justice or Justices making the Adjudication; and such Justice or Justices may order that any Offender convicted as last aforesaid be detained and kept in safe Custody until Return can be conveniently made to the last-mentioned Warrant, unless he give sufficient Security, by way of Recognizance or otherwise, for his Appearance on the Day appointed by the Return, such Day not being more than Eight Days from the Time of taking the Security; and if before issuing such Warrant, or upon the Return thereof, it appear to the Satisfaction of the last-mentioned Justice or Justices that no sufficient Distress can be had within their Jurisdiction, such Justice or Justices may, by Warrant under their Hands and Seals, cause the Offender to be committed to Gaol, there to remain, without Bail, for any Term not exceeding Three Months, unless such Penalty and Costs be sooner paid.

Mode of proceeding before Justices.

XCI. In proceeding before any Justice or Justices under the Provisions of this Act, in any Case in which the Mode of Proceeding is not specially prescribed, any One Justice may summon

summon the Party charged to appear before the Justice or Justices by whom the Matter is to be determined, at a Time and Place to be named; and upon the Appearance of the Party charged, or in his Absence upon Proof of Service of the Summons upon him personally, or by leaving a Copy thereof at his last known Place of Abode or Business, the last-mentioned Justice or Justices may hear and determine the Matter, and for that Purpose examine the Parties or any of them, and their Witnesses, on Oath; and the Costs of all such Proceedings shall be in the Discretion of the last-mentioned Justice or Justices; and where in this Act any Sum of Money whatsoever is directed to be levied by Distress and Sale of the Goods and Chattels of any Party, the Overplus arising from such Sale shall, after satisfying such Sum, and the Costs and Expenses of the Distress and Sale, be returned to him, on Demand; and no Distress levied under the Authority of this Act shall be unlawful, nor shall any Party making the same be a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall he be a Tresspasser *ab initio* on account of any Irregularity afterward committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction in an Action upon the Case; and the Justices before whom any Person is convicted of any Offence against the Provisions of this Act may cause the Conviction to be drawn up according to the Form and Directions contained in the Schedule (C.) annexed to this Act, or to the like Effect; and any Conviction so drawn up shall be valid and effectual; and Justices of the Peace, being Commissioners or liable to Assessment under this Act, may, if acting in Petty Sessions, notwithstanding their being such Commissioners, exercise the Jurisdiction vested in them as such Justices under this Act. Every Person who, upon any Examination upon Oath under the Provisions of this Act, shall wilfully give false Evidence, shall be liable to Punishment for Perjury.

Distress how to be levied;

not unlawful for Want of Form.

Form of Conviction.

Justices, though Commissioners under this Act, may act under this Act.

Penalty on Persons giving false Evidence.

XCII. No Proceedings for the Recovery of any Penalty incurred under the Provisions of this Act shall be taken by any Person other than by a Party grieved, or the Commissioners, without the Consent in Writing of Her Majesty's Attorney General first had and obtained; and no such Penalty shall be recovered unless Proceedings for the Recovery thereof shall have been commenced within Six Calendar Months after the Commission or Occurrence of the Offence upon which the Penalty attaches; and One Half of such Penalty shall go to the Informer, and the Remainder to the Commissioners; and if the Commissioners be the Informers they shall be entitled to the whole of the Penalty recovered; and all Penalties or Sums recovered on account of any Penalty by them shall be paid over to the Treasurer, and shall be placed to the Credit of the General Assessments Fund for the Purposes of this Act, any Act or Acts to the contrary notwithstanding, and notwithstanding the Liability of any Person to any Penalty under the Provisions of this Act, he shall not be relieved from any other Liability to which he would have been subject if this Act had not been passed.

Common Informers not to sue without Consent of Attorney General.

Proceedings for Penalties to be taken within Six Months.

Application of Penalties.

Liability to Penalty not to relieve from other Liabilities.

XCIII. Any Person who shall think himself aggrieved by any Order, Conviction, Judgment, or Determination of, or by any Matter or Thing done by, any Justice or Justices, under the Provisions of this Act, in any Case in which the Penalty imposed or the Sum adjudged shall exceed the Sum of Twenty Shillings, may appeal to the Court of General or Quarter Sessions for the respective Division or Place holden next after the Accrual of the Cause of Complaint; but the Appellant shall not be heard in support of the Appeal, unless within Fourteen Days after the Accrual of the Cause of Complaint he give to the Clerk of the Commissioners and to the Justice or Justices by whose Act he may think himself aggrieved Notice in Writing stating his Intention to bring such Appeal, together with a Statement in Writing of the Grounds of Appeal; and the said Court, upon hearing and finally determining the Matter of the Appeal, shall and may, according to its Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and its Determination shall be conclusive and binding on all Persons to all Intents and Purposes whatsoever; provided that, if there be not Time to give such Notice before such Sessions holden as aforesaid, then such Appeal may be made to and such Notice and Statement given for the next Sessions for the respective Division or Place at which the Appeal can be heard: Provided also, that on the Hearing of the Appeal no Grounds of Appeal shall be gone into or entertained other than those set forth in such Statement as aforesaid.

Appeal to Quarter Sessions.

XCIV. The

Actions, &c. in Name of Clerk.

XCIV. The Commissioners may sue and be sued in the Name of the Clerk for the Time being for or concerning any Contract, Matter, or Thing relating to any Property, Works, or Things vested in them by reason of the Provisions of this Act, or relating to any Matter or Thing whatsoever entered into or done by them under the Provisions of this Act; and in Proceedings by or on the Part of such Commissioners against any Person for stealing or wilfully injuring or otherwise improperly dealing with any Property, Works, or Things belonging to them or under their Management, it shall be sufficient to state generally that the Property or Thing in respect of which the Proceeding is instituted is the Property of the said Clerk, and all legal Proceedings by or on the Part of or against such Commissioners under this Act may be preferred, instituted, and carried on in his Name; and no Proceedings whatever shall abate or be discontinued by the Death, Resignation, or Removal of the Clerk, or by reason of any Change or Vacancy in such Commissioners, by Death, Resignation, or otherwise: Provided, that the Clerk in whose Name any such Action, or Suit, Complaint, Information, or Proceeding may be brought, preferred, instituted, or defended as aforesaid, shall be fully reimbursed out of the general Assessments to be levied under this Act all such Costs, Damages, and Expenses as he shall or may be or become liable to pay, sustain, or be put unto by reason of his Name being so used.

Mode of describing Property of Commissioners.

Actions, &c. not to abate.

Clerk to be reimbursed Expenses and Costs.

Notice of Action.

XCV. No Writ of Summons and Plaint shall be sued out against or served upon the Commissioners or any of them, or their Clerk, or other Officer or Person whomsoever acting under the Direction of the Commissioners, for anything done or intended to be done under the Provisions of this Act, until the Expiration of One Month next after Notice in Writing shall have been delivered to him, or left at their or his Office or usual Place of Abode, stating the Cause of Action, and the Name and Place of Abode of the intended Plaintiff, and of his Attorney or Agent in the Cause; and upon the Trial of any such Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action which is not stated in the last-mentioned Notice; and unless such Notice be proved, the Jury shall find for the Defendant; and every such Action shall be brought or commenced within Six Months next after the Accrual of the Cause of Action, and not afterwards, and shall be laid and tried in the County or Place where the Cause of Action occurred, and not elsewhere; and it shall be a sufficient Defence for the Defendant to allege that he did what is complained of under the Provisions of this Act, and to give this Act, and all special Matter in Evidence thereunder; and any Person to whom any such Notice of Action is given as aforesaid may tender Amends to the Plaintiff, his Attorney or Agent, at any Time within One Month after Service of such Notice, and in case the same be not accepted may plead such Tender as a Defence, and if upon Issue joined the Jury find generally for the Defendant, or if the Plaintiff be nonsuited or discontinue, or if Judgment be given for the Defendant, then the Defendant shall be entitled to full Costs of Suit, and have Judgment accordingly.

Limitation of Actions.

Venue.

General Issue.

Tender of Amends, &c.

No Rate or Proceeding to be quashed for Want of Form, &c.

XCVI. No Rate nor any Proceeding to be had touching the Conviction of any Offender against this Act, nor any Order, Award, or other Matter or Thing whatsoever, made, done, or transacted in or relating to the Execution of this Act, shall be vacated, quashed, or set aside for Want of Form, or be removed or removable by Certiorari or other Writ or Process whatsoever into any of the Superior Courts.

Persons acting in execution of Act not to be personally liable.

XCVII. No Matter or Thing done or Contract entered into by the Commissioners, nor any Matter or Thing done by any Commissioner, or by any Officer or Person whomsoever acting under the Direction of the Commissioners, shall, if the Matter or Thing were done, or the Contract were entered into *bonâ fide* for the Purpose of executing this Act, subject them or any of them personally to any Action, Liability, Claim, or Demand whatsoever; and any Expense incurred by any such Commissioner, Officer, or Person acting as last aforesaid shall be borne and repaid out of the general Assessments levied under the Authority of this Act.

Bonds, Contracts, &c. under former Act to be saved;

XCVIII. When this Act shall be adopted in whole or in part in any Town which had previously adopted it in whole or in part, the Powers and Provisions of the said Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, or in any Town or Place which had previously possessed a Local Act or Acts as aforesaid, all Bonds, Contracts, Covenants,

Agreements, and Securities made and entered into, and all Assessments imposed or to be imposed under and by virtue of such first-mentioned Acts or of such Local Act or Acts, in so far as regards anything done under such Acts or any of them previous to the Adoption of this Act, shall remain in full Force and Effect, and shall continue available and binding on all concerned; and nothing herein contained shall be construed to affect the Debts, Rights, or Claims of any Creditor under such Local Act or Acts; and the Officers appointed under and employed on the First of *January* One thousand eight hundred and fifty-four, in the Execution of such first-mentioned Act and of such Local Act or Acts, shall continue to be employed under the Provisions of this Act so far as possible in Offices of an analogous Nature, until they are respectively superseded or removed for Insufficiency, or for other good or sufficient Cause.

and Officers in Office to continue until removed.

Public Libraries Acts 1850 and 1853 incorporated with this Act.

XCIX. That the Public Libraries Act, 1850, and an Act passed in a Session held in the Sixteenth and Seventeenth Years of the Reign of Her present Majesty, intituled *An Act to extend the Public Libraries Act*, 1850, *to* Ireland *and* Scotland, shall be incorporated with and read as Part of this Act, and the Chairman of the Town Commissioners for the Time being shall exercise the Powers and perform the Functions appointed by the said recited Acts to be exercised and performed by the Mayor, and the Town Commissioners shall have the Powers thereby conferred on Town Councils; and the Parties entitled to vote under said Act shall in *Ireland* be the Parties entitled to vote at the Meeting convened for the Adoption of this Act, as herein-before provided; and the Commissioners, when such Acts for the Establishment of Libraries shall be adopted, shall have the general Management, Regulation, and Control of such Libraries, and may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Maps, and Specimens of Art and Science, for the Use of such Libraries.

Act to extend only to Ireland, but not to affect certain Cities.

C. This Act shall extend only to *Ireland;* and nothing herein contained shall extend to or affect the Cities of *Dublin, Cork, Limerick,* and *Londonderry,* and Town of *Belfast.*

SCHEDULES to which this Act refers.

SCHEDULE (A.)

City [*or* Town] of } NOTICE is hereby given, That in virtue of the Powers contained in an Act of Parliament passed in the Session holden in the Seventeenth and Eighteenth Years of the Reign of Her Majesty Queen Victoria, intituled "The Towns Improvement (Ireland) Act, 1854," and by the Order of the Lord Lieutenant of Ireland in that Behalf, bearing Date the Day the rated Occupiers and Lessors herein-after mentioned of Premises of the net annual Value of Eight Pounds and upwards in the City [*or* Town] of [*or where the Boundaries have been ascertained by the Lord Lieutenant's Order under this Act,* within the Boundaries following, viz., *repeat them as in the said Order*], are hereby required to meet upon the Day of next, at of the Clock, within [*state exact Place of Meeting*], when the said Act shall be laid before the Meeting, with the view of adopting it in whole or in part; that is to say, the rated Occupiers and Lessors following are required to meet as aforesaid, viz.: Every Male Person of full Age who shall have occupied as Tenant or Owner, or shall have been the immediate Lessor (rated for such Premises to the Relief of the Poor) of any Lands, Tenements, or Premises within the said [City *or* Town], or within such Boundaries as aforesaid, and shall have been so rated in respect of such Premises for the Period of Months preceding the said Day of Meeting, and shall have paid all such Poor Rates as shall have become payable by him in respect of such Premises, except such as shall have become payable within Months preceding such Day of Meeting.

Dated at the Day of 18 .

(Signed)
E.F., Chief Magistrate,
or Justices [*as the Case may be*].

SCHE-

SCHEDULE (B.)

Form of the Book to be used in the Elections of Commissioners.

Names and Designations of Commissioners voted for.		Qualifications of Electors.	Signatures of Electors.
1			

SCHEDULE (C.)

Form of Conviction.

County of [*or*, Borough, *&c.*] to wit. } BE it remembered, That on the Day of in the Year of our Lord *A.B.* is convicted before me [*or* us] One [*or* Two] of Her Majesty's Justices of the Peace in and for the County [*or* Borough, *&c.*] of [*here describe the Offence generally, and the Time and Place when and where committed, in the Words of this Act, or as near thereunto as may be*], contrary to "The Towns Improvements (Ireland) Act, 1854;" and I [*or* we] do adjudge that the said *A.B.* hath forfeited for his said Offence the Sum of [*Amount of Penalty adjudged*], and that he do pay to *C.D.* the further Sum of as and for his Costs in this Behalf.

Given under my Hand and Seal [*or* our Hands and Seals], the Day and Year first above written.

(Signed) (L.S.)
(L.S.)

CAP. CIV.

An Act to amend and consolidate the Acts relating to Merchant Shipping.

[10th *August* 1854.]

'WHEREAS it is expedient to amend and consolidate the Acts relating to Merchant Shipping:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

Preliminary.

I. This Act may be cited for all Purposes as "The Merchant Shipping Act, 1854." Short Title of Act.

II. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings hereinafter assigned to them; that is to say, Interpretation of certain Terms in this Act;

"Her Majesty's Dominions" shall mean Her Majesty's Dominions strictly so called, and all Territories under the Government of the *East India* Company, and all other Territories (if any) governed by any Charter or Licence from the Crown or Parliament of the United Kingdom:

"The United Kingdom" shall mean *Great Britain* and *Ireland:*

"*British* Possession" shall mean any Colony, Plantation, Island, Territory, or Settlement within Her Majesty's Dominions, and not within the "United Kingdom:"

"The Treasury" shall mean the Commissioners of Her Majesty's Treasury:

"The Admiralty" shall mean the Lord High Admiral or the Commissioners for executing his Office:

"The