

ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

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CAP. LXVII.

An Act to amend the Acts relating to the Harbour of *Kingstown*. [29th *June* 1865.]

WHEREAS an Act was passed in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, Chapter Sixty-two, intituled *An Act for erecting an Harbour for Ships to the Eastward of* Dunleary, *within the Port of* Dublin; and the said Act was amended by an Act of the First Year of His late Majesty King *George* the Fourth, Chapter Sixty-nine: And whereas a further Act was passed in the Session held in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, being *An Act to amend several Acts relating to the Harbour of* Kingstown, by which it was, amongst other things, enacted, that the old Harbour of *Dunleary*, together with the new Harbour then in course of Erection, should thenceforth be constituted One Harbour, under the Name and Title of "*Kingstown* Harbour:" And whereas another Act was passed in the Session held in the First and Second Years of the Reign of Her Majesty the now Queen, intituled *An Act to make further Provisions and to amend the Acts relating to the Harbour of* Kingstown, *and the Port and Harbour of* Dublin: And whereas in consequence of the increased Number of Vessels entering the Harbour of *Kingstown* in Ballast, and leaving the same with Cargoes of Iron Ores and Pyrites and

56 G. 3. c. 62.

1 G. 4. c. 69.

6 & 7 W. 4. c. 117.

1 & 2 Vict. c. 36.

other Produce of Mines, as well as with other Cargoes, it has become necessary to enlarge the Wharfs and Quays of the said Harbour, and afford increased Accommodation thereat; and it is intended to enlarge a certain Quay situate in the said Harbour, now known as the Coal Quay, and to construct other Works for increasing the Wharfs and Quays of the said Harbour: And whereas it is reasonable that all Vessels entering the said Harbour in Ballast, and taking away Cargoes as aforesaid, should pay the Rates herein-after mentioned: 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:

Threepence a Ton on all Vessels entering Kingstown, and taking in Cargo.

1. From and after the passing of this Act, all Vessels entering the said Harbour of *Kingstown* in Ballast from any Part of the Port of *Dublin*, and which, while within such Harbour, or Five hundred Yards of the Entrance thereof, shall take in a Cargo of Ores or Pyrites, or other Produce of any Mines, or of any other Matter or Thing, shall, in addition to the Rates payable under the said recited Acts or any of them, be liable to pay to the Commissioners of the said Harbour, or their Collector, a Tonnage Rate to be from Time to Time fixed and appointed by the said Commissioners, not exceeding Threepence *per* Ton, according to the registered Tonnage of such Vessel.

Gunpowder not to be brought into the Harbour except in conformity with Regulations of Harbour Master.

2. From and after the passing of this Act, if any Owner, Master, or Person having the Charge of any Ship or Vessel (unless driven by Stress of Weather) shall bring the same into the said Harbour of *Kingstown*, having on board any Quantity of Gunpowder exceeding One hundred Pounds, without having previously obtained the Permission of the Harbour Master of the said Harbour signified in Writing under his Hand, or shall knowingly permit or suffer any such Quantity of Gunpowder to be placed or to be on board of any such Ship or Vessel while within such Harbour without such Permission as aforesaid, or if any Person without such Permission as aforesaid shall knowingly place any such Quantity of Gunpowder as aforesaid in or upon any Vessel within the said Harbour, every such Owner, Master, or other Person so offending shall forfeit and pay to the Commissioners of the said Harbour the Sum not exceeding Two hundred Pounds for every such Offence.

Penalty for refusing to comply with Directions of Harbour Master.

3. In case any such Owner, Master, or other Person having the Charge or Command of any Ship or Vessel on board which any such Quantity of Gunpowder may be shall refuse or neglect to moor, unmoor, place, move, or remove his Ship or Vessel according to

to the Direction from Time to Time given by the Harbour Master, or shall refuse or neglect to follow and obey any Directions of the said Harbour Master with respect to the Storage and Custody of such Gunpowder immediately when Notice to him or them of such Directions as aforesaid shall be given or left with any Person or Persons on board of such Ship or Vessel for that Purpose, every such Owner, Master, or other Person aforesaid shall forfeit and pay to the said Commissioners for every such Offence a Sum not exceeding Fifty Pounds; and it shall be lawful for the said Harbour Master, in case any Direction so given by him shall be disobeyed as aforesaid, forthwith to destroy all such Gunpowder, and for that Purpose to enter upon every such Ship or Vessel and make search for the same; and in case the said Harbour Master shall be obstructed in so doing by any Person or Persons whomsoever, then every such Person so offending shall for every such Offence forfeit and pay to the said Commissioners a Sum not exceeding Twenty Pounds.

Exemption for Her Majesty's Ships.

4. Nothing herein contained shall apply to any Ship or Vessel belonging to Her Majesty or in Her Majesty's Service; but if any Person shall claim the Benefit of this Exemption, not being entitled thereto, every such Person for every such Offence shall forfeit and pay to the said Commissioners a Sum not exceeding Twenty-five Pounds.

Provisions of former Acts extended to this Act.

5. All the Powers and Provisions in the said Acts contained and now in force with respect to the Recovery of Rates, Penalties, and Forfeitures, and the seizing or distraining for the same, shall apply to the Rates, Penalties, and Forfeitures imposed by this Act; and the said Rates, Penalties, and Forfeitures shall be applicable to the like Purposes as the Rates and Penalties now payable to the Commissioners of the said Harbour under the Provisions of the Acts aforesaid, or any of them.

This and recited Acts to be as One.

6. This Act and the herein-before recited Acts shall be read together as One Act.

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