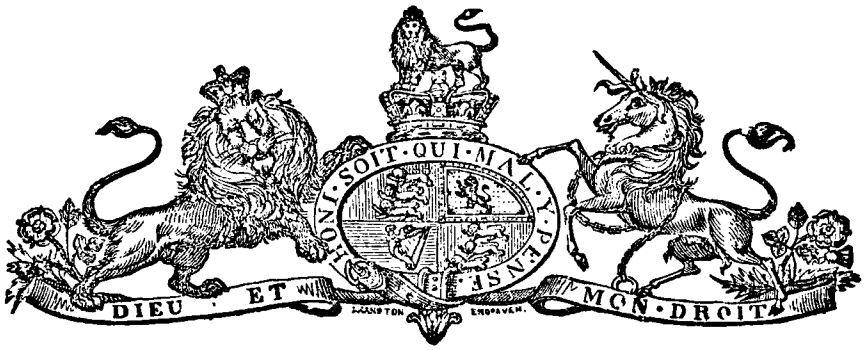


ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

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CAP. XCIX.

An Act to extend the Time limited by an Act passed in the Fourth and Fifth Years of Her present Majesty, empowering the Commissioners for the Issue of Exchequer Bills for Public Works to complete the Works for improving the Navigation and Harbour of *Tralee* in the County of *Kerry*. [9th *August* 1844.]

WHEREAS an Act was passed in the Ninth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining a navigable Cut or Canal from a Point at or near the* Black Rock *in the Harbour of* Tralee *in the County of* Kerry *to* Croompanrickard *near the Town of* Tralee *in the said County; and for otherwise improving the said Harbour of* Tralee, whereby certain Parties were incorporated, and were created One Body Corporate by the Name and Style of "The Commissioners of the Harbour of *Tralee*," for the Purposes of erecting, making, and completing the said Canal, and the other Works by such Act authorized and required: And whereas it was by the said recited Act enacted, that in case the said Canal and the other Works in and by the said Act authorized and required should not have been completed and made in the Space of Eight Years, 9 G. 4. c. cxviii.

Years, to be computed from the passing thereof, then and from thenceforth all the Powers, Authorities, and Privileges given by the said Act should cease and determine, save only and except as to so much, if any, of the intended Canal, Basin, Dock, Harbour, and other Works therein mentioned as should have been declared and certified to have been completed within the said Term by the Justices of the Peace for the County of *Kerry* assembled at any Quarter Sessions of the Peace to be holden in and for the said County at any Time before the Expiration of the said Term of Eight Years, or within Six Calendar Months next after the Expiration thereof: And whereas another Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled

6 & 7 W. 4. c. 114. *An Act to extend the Time limited by an Act passed in the Ninth Year of the Reign of His late Majesty King* George *the Fourth, for improving the Navigation and Harbour of* Tralee *in the County of* Kerry, whereby, after reciting that the said Commissioners had proceeded in the Execution of the said recited Act, and had made great Progress in the cutting, making, forming, and completing the said Canal and other the Works in and by the said Act authorized to be made, and had entered into Contracts in relation to the same, but in order to complete the said Canal and other the Works contemplated by the said Act it was necessary that further Time should be granted for that Purpose, it was enacted, that the Time limited by the said first-recited Act for the Completion of the said Canal and the Works authorized to be made under the said first-recited Act should be and the same was thereby extended for the further Term of Five Years; but by the said Act now in recital it was provided and further enacted, that in case the said Canal and other Works authorized by the said first-recited Act to be made should not be made and completed within the said Term of Five Years, to be computed from the passing of the Act now in recital, then from and after the Expiration of the said Term of Five Years all Powers, Authorities, and Privileges by the said recited Act given to or conferred upon the said Commissioners for making such Canal, and the several Works, Matters, and Things belonging thereto or connected therewith, should cease and determine, save only and except as to so much of the said Canal and other Works as should have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County of *Kerry* assembled at any Quarter Sessions of the Peace to be holden for the said County at any Time before the Expiration of the said Term of Five Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses upon Oath to be produced before them for that Purpose: And whereas another Act was passed in the Fourth and

4 & 5 Vict. c. 46. Fifth Years of Her present Majesty's Reign, intituled *An Act to empower the Commissioners for the Issue of Exchequer Bills for Public Works to complete the Works authorized to be made by an Act of the Sixth and Seventh Year of the Reign of His late Majesty King* William *the Fourth, for improving the Navigation and Harbour of* Tralee *in the County of* Kerry; *and to extend the Time for that Purpose*, whereby, after reciting that in the Year One thousand eight hundred and thirty-two the said Commissioners of the Harbour of *Tralee* borrowed of the Commissioners for carrying into execution the

several Acts passed for authorizing the Issue of Exchequer Bills and Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and particularly an Act passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to render more effectual the several Acts for authorizing the Advances for carrying on Public Works, so far as relates to* Ireland, 6 G. 4. c. 35. the Sum of Six thousand Pounds, and for securing the Repayment thereof, with Interest, by the Instalments, at the Times, and in manner mentioned in the Indenture of Mortgage therein-after recited, the said Commissioners of the Harbour of *Tralee* executed to the Secretary of the said Commissioners for the Issue of Exchequer Bills a Mortgage, bearing Date the Eighteenth Day of *July* One thousand eight hundred and thirty-two, of all and every the Rates, Tolls, Duties, and Receipts, Hereditaments, Chattels, and Property whatsoever of or belonging to the said Commissioners of the Harbour of *Tralee*, and reciting, that, Default having been made in Payment of certain of the Instalments of Principal and Interest which had become due on the said Mortgage, the said Commissioners for the Issue of Exchequer Bills, in pursuance of the Powers and Provisions of their said Acts, had entered into and were then in possession of the Works and Property of or belonging to the said Commissioners of the Harbour of *Tralee*, and it was expedient, in order to prevent the Loss of the Sum of Five thousand four hundred Pounds, Part of the said Sum of Six thousand Pounds, with the Interest thereon, by reason of the incomplete State of the said Canal and other Works by the said first-recited Act authorized or required to be made and executed, that the same should be completed by the said Commissioners for the Issue of Exchequer Bills for Public Works, but in order thereto it was necessary that further Time should be granted for that Purpose, it was enacted, that the Time limited by the said recited Act of the Sixth and Seventh Years of the Reign of His said late Majesty King *William* the Fourth, for the Completion of the said Canal and other Works by the said first-recited Act authorized and required to be made and executed, should be and the same was thereby extended for the further Term of Three Years, to be computed from the Expiration of the said Term of Five Years by the said last-recited Act limited for such Purposes; but by the said Act now in recital it was provided and enacted, that in case the said Canal and other Works by the said first-recited Act authorized to be made and executed should not be made and completed within the said Term of Three Years, to be computed from the Expiration of the said Term of Five Years by the said last-recited Act limited for such Purposes as aforesaid, then from and after the Expiration of the said Term of Three Years all the Powers, Authorities, and Privileges by the said first-recited Act given to or conferred upon the said Commissioners for making such Canal, and the several Works, Matters, and Things belonging thereto or connected therewith, should cease and determine, save only and except as to so much of the said Canal and other Works as should have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County of *Kerry* assembled at any Quarter Sessions of the Peace to be holden for the said County at any Time before the Expiration of the said Term of Three Years, or within Six Calendar Months next after the Expiration thereof, upon

upon the Evidence of any One or more Witness or Witnesses upon Oath to be produced before them for that Purpose: And whereas the said Commissioners for the Issue of Exchequer Bills for Public Works have made great Progress in making and executing the said Canal and other Works by the said first Act authorized or required to be made and executed; but in order to complete the said Canal and other Works it is necessary that further Time should be granted for that Purpose: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Time limited by the said last-recited Act for the Completion of the said Canal and other Works by the said first-recited Act authorized and required to be made and executed shall be and the same is hereby extended for the further Term of Three Years, to be computed from the Expiration of the said Term of Three Years by the said last-recited Act limited for such Purposes as aforesaid.

The Time limited by the last-recited Act for the Execution of the Works extended for Three Years.

II. Provided always, and be it enacted, That in case the said Canal and other Works by the said first-recited Act authorized to be made and executed shall not be made and completed within the said Term of Three Years, to be computed from the Expiration of the Term of Three Years by the said last-recited Act limited for such Purposes as aforesaid, then from and after the Expiration of the said Term of Three Years limited by this Act all the Powers, Authorities, and Privileges by the said first-recited Act given to or conferred upon the said Commissioners for making such Canal, and the several Works, Matters, and Things belonging thereto or connected therewith, shall cease and determine, save only and except as to so much of the said Canal and other Works as shall have been declared and certified to have been completed within the said Term by the Justices of the Peace of the said County of *Kerry* assembled at any Quarter Sessions of the Peace to be holden for the said County at any Time before the Expiration of the said Term of Three Years limited by this Act, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of any One or more Witness or Witnesses upon Oath to be produced before them for that Purpose.

The Powers given by the first-recited Act to cease at the End of the said Term, save as to Works certified by Justices of Kerry to have been completed.

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