

Clarecastle Pier, Act 48 Vic. Cap.41

Bye-laws to be observed by persons within the limits of the Jurisdiction of the Clarecastle Harbour Trustees

We the Trustees duly appointed under provisions of the Act 48 and 49 Vic. Cap. 41 entitled "An Act to make provisions with respect to the maintenance of certain piers and other works in the estuary of the river Shannon" and Acts incorporated therewith, make the following Bye-Laws to be observed by all persons within the limits of the Jurisdiction of the Trustees in these part of the River Fergus at Clarecastle Pier and approaches thereto.

Synopsis

- 1 Vessels discharging – when discharged to move if requested if another vessel requires same and that the master etc. of this other vessel is prepared to pay all expenses thereof, request by Harbour Master or Officer in charge or collector etc. Fine for non-compliance £2.
- 2 When two vessels arrive lower quay and one wants to move up to old quay the one first ready to move shall have preference. If one discharging at lower quay and another arrives wants to go to old quay this latter shall have preference.
- 3 Injuring lamps or other property. Fine £2
- 4 Boat, cart, owner, which shall commit any breach of any bye-law to be detained. (Boat, barge vessel, cart, wagon, dray, or other vehicle; owner, Master, crew, or other person or persons in charge of which respectively shall commit any breach of following bye-laws shall be detained by Harbour Master, Collector or other Officer in charge of the Harbour, lye-bye, quay, pier, wharf, or landing place; where breach was committed or detected, until the person or persons committing such offence shall have given sufficient security for the payment of penalties or costs in event of the Justice at the trial deciding against them or hi.
- 5 All harbours within the Trustees jurisdiction to be within the control of Harbour Master – regarding ships, loading, movements, loading of stores on quays, arranging goods on quays, and persons resorting thereto to comply with order of harbour Master etc. Fine £2

No mooring contrary to order; refusing to move after mooring; Harbour Master etc. to cut rope, mooring etc. and cast off remove boat etc. or cargo or part cargo etc. and hire hands to assist, such costs to be recovered pursuant to Act.

- 6 Any owner, master etc. attempting to take boat by force or rescue when said seized goods etc. Penalty £5
- 7 Attempt to deceive Harbour Master (false manifests etc.) £5
- 8 Owner etc. when required to give true account – whence came and produce certificates.
- 9 Master etc. to sign or affix mark to voucher. £2 Fine
- 10 Every boat etc. to be securely moored, anchored, etc. Neglect or fail to alter any mooring necessary for safety. £1 Fine
- 11 Using any other than to properly and regular mooring posts for mooring or warping etc. Fine £2.
- 12 Anchoring across or obstructing harbour. £5
- 13 Cutting mooring etc. £5
- 14 Pumping water on to the quay in any manner etc. £5
- 15 Vessels with bowsprits must run in, or raise same, if directed until only 3 feet projects – refusal £2 – not to apply to vessels with fixed bowsprits.
- 16 Square rigged vessels, launching in, lowering etc as directed of booms, Failure £2.
- 17 Boat not being loaded to give place to ones being loaded, berth to be allotted to them on arrival by Harbour Master. No goods within six feet of water's edge – timber, balk, ballast, manure, clay, sand, gravel or bricks and stone to be deposited as pointed out by Harbour Master etc. No complying £2
- 18 Occupying berths of steam vessels, without permission. Fine £5. Not to apply where done in ignorance, or because of stress of weather. Such vessels to show lights at night.
- 19 Timber etc. discharging etc. not to obstruct navigation. £2
- 20 When loading ballast – barrows with sides or two hurries to be used to prevent stone etc. falling into the harbour. Fine £2
- 21 Loading or unloading cargo without permission, or to load ballast at night without permission. Fine £5

- 22 No stall, shed or other building shall be erected on any quay, pier, wharf or landing place whatever within the Trustees Jurisdiction without the special authority of the said Trustees, which warrant shall be lodged with the Harbour Master, collector or other officer in charge, nor shall any nuisance whatsoever be committed thereon and no pitch, tar, turpentine, oil or other combustible matter be boiled or heated on board any boat or vessel in or at any of the harbours, lye-byes, piers, quays, wharfs or landing places without the sanction of the Harbour Master, Collector etc. Fine £5
- 23 Carts not to remain longer than is necessary, for loading, or unloading nor without horses except with permission, nor pass barrier except employed. If not employed £2 * [watch in case of strike]
- 24 All persons are hereby prohibited from bathing in or off any harbour, lye-bye; pier, quay, wharf or other landing place within the Trustees jurisdiction without the special sanction of the Trustees under penalty of £1.
- 25 No turf, lime, limestone, building stones, flags, sand, gravel, ballast, mail, seaweed, manures, timber, coal, iron, ores and minerals, cord, meal, malt, flax, potatoes, hay, straw, casks, crates or packages, or parcel of goods of any kind or matter shall be permitted to remain whether being there for the purpose of being loaded or unloaded upon pier or quay for longer period than 48 hours, and in case of non-removal of such goods or mater after said period of 48 hours, the Harbour Master or any person appointed by the Trustees may remove the same to any of the premises of the Trustees or other convenient place and keep the same until payment is made of the penalty hereinafter mentioned together with the expenses of such removal and if the keeping of such goods or matters and if the penalties and expenses be not paid within seven days after demand thereof made upon the owner, or if no such owner can be found then the Trustees may sell such goods or matters and out of the proceeds of such sale may pay such penalty and expenses, rendering the surplus, if any, to the owner on demand or may otherwise proceed for recovery of same. Fine £2.
- 26 If Harbour Trustees find it expedient or desirable to permit the goods to remain on the pier, quay, wharf, longer than the time herein specified for the removal or shipment of the goods etc. they shall be at liberty to charge a wharfage rent for storage not exceeding 6d per square yard of the harbour premises occupied by such goods; for every week or part of a week they are allowed to remain on the ground, and that such rent shall be enforced by seizure and sale of such goods in the same manner as is provided for the recovery of expenses for storage of goods.

Sealed with the corporate seal of the Clarecastle Harbour Trustees.

Approved of on behalf of the Justices at Quarter Sessions, at Ennis 8th of April, 1889.

Charles Kelly, County Court Judge and Chairman of the quarter sessions, Co. Clare.

Particular sections (bye-laws) copied in full as will be observed from copy in possession of Mr. Marcus Harding, secty. To Trustees. 7/6/48

S. O'Longaig, Sgt. 3103
Garda Siothcanna