Out-door relief not to involve electoral disability.

4. No electoral disability or loss of any parliamentary or other franchise shall be incurred by any person by reason of a grant of out-door relief having been made to him under this Act, or by reason of any such grant ratified under this Act.

Short title.

5. This Act may be cited as the Out-door Relief (Ireland) Act, 1898.

CHAPTER 52.

An Act to transfer to the Commissioners of the Township of Kingstown certain Roads and Lands now vested in the Commissioners of Kingstown Harbour, and for other purposes. [12th August 1898.]

WHEREAS the harbour of Kingstown, near Dublin, is maintained out of money provided by Parliament, and is, by virtue of various Acts of Parliament, under the control and management of Commissioners called the Commissioners of Kingstown Harbour, appointed by the Lord Lieutenant:

And whereas the Commissioners of the Township of Kingstown, incorporated by that name by the Township of Kingstown Act, 1869, are the urban sanitary authority of the urban sanitary district consisting of the township of Kingstown:

And whereas the roads and footways, and portions of roads and footways, described in the First Schedule to this Act, and situate within the said urban sanitary district, are the property of the Commissioners of Kingstown Harbour, and are managed and maintained by them:

And whereas it is expedient that the property in and management of the said roads and footways, and portions of roads and footways, should be transferred to and vested in the said Commissioners of the Township of Kingstown, subject to the provisions of this Act and especially to the provisions thereof relating to the transfer of certain parts of these roads and footways to the Dublin Wicklow and Wexford Railway Company:

And whereas the hereditaments described in the Second Schedule to this Act are also situate within the said urban sanitary district, and are vested in the Commissioners of Kingstown Harbour:

And whereas it is expedient that the hereditaments described in the Second Schedule to this Act should also be transferred to and vested in the said Commissioners of the Township of Kingstown for all the estate of the Commissioners of Kingstown Harbour therein, subject to the provisions of this Act:

And whereas the strips of ground described in paragraph 2 of the Second Schedule to this Act are transferred to the Commissioners of the Township of Kingstown, in order to enable them to lay down and complete a road and footpath between Crofton Road and the road at the railway crossing at the end of the West Pier of Kingstown Harbour:

And whereas it is expedient to make such provisions as are contained in this Act with respect to the transfer to the Dublin, Wicklow, and Wexford Railway Company of certain parts of the roads and footways described in the First Schedule to this Act:

And whereas it is also expedient that such further provisions as are herein-after contained should be conferred and made:

And whereas the purposes aforesaid cannot be effected without the authority of Parliament:

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 (that is to say):—

Short title.

1. This Act may be cited as the Kingstown Township (Transfer of Harbour Roads) Act, 1898.

Act to be construed together with Kingstown Improvement Act, 1861, 24 & 25 Vict. c. cxviii.

2. This Act so far as it relates to any roads, footways, or land transferred to the Commissioners of the Township of Kingstown, shall be construed as one with the Kingstown Improvement Act, 1861, and the several Acts and parts of Acts incorporated therewith so far as they are not expressly varied by this Act.

Definitions.

3. In this Act, unless the context otherwise requires, the following expressions have respectively the following meanings (that is to say):—

The expression "The Harbour Commissioners" means the Commissioners of Kingstown Harbour.

The expression "The Town Commissioners" means the Commissioners of the Township of Kingstown.

The expression "The Railway Company" means the Dublin, Wicklow, and Wexford Railway Company.

Transfer of roads.

4. As from the passing of this Act the roads and footways, and portions of roads and footways, described in the First Schedule to this Act with the exception of such parts of these roads and footways as are transferred under this Act to the Railway Company, and all the property, jurisdiction, power, and authority of the Harbour Commissioners therein, shall, subject to the provisions of this Act, be transferred from the Harbour Commissioners to and vested in the Town Commissioners, and subject to the said provisions the Town Commissioners shall have all the powers, rights, privileges, and obligations which are conferred on, or may be exercised or enforced by the Town Commissioners, with respect to the other roads or streets within the township of Kingstown.

Right of the Harbour Commissioners to use tramway.

5. The Harbour Commissioners may, at all times, by themselves, their agents, servants, and workmen, pass over and use for any purpose connected with Kingstown Harbour so much of the tramways connecting the east and west piers of the harbour with the quarries at Dalkey as cross over and pass along the road described in paragraph 2 of the First Schedule of this Act, and the Harbour Commissioners may maintain and improve the said

portion of tramway, and for that purpose may place materials on the road, and break it up: Provided that—

(*a*) any work for the purpose of the maintenance and improvement of the said portion of the tramway shall be executed to the reasonable satisfaction of the Town Commissioners, or, in case of difference, of a surveyor to be selected by the Local Government Board; and

(*b*) every such work shall be executed so as to cause as little interruption of traffic or inconvenience to the Town Commissioners as circumstances will admit.

Expenses of maintaining the transferred roads.

6. The expenses of maintaining, repairing, lighting, and watering the roads and footways or portions of roads and footways transferred to the Town Commissioners by this Act shall be defrayed by the Town Commissioners out of the rates leviable by them as the Commissioners of the Township of Kingstown, and applicable to the purposes of maintaining, repairing, lighting, and watering the other roads within the said township.

Vesting of lands in Town Commissioners.

7. As from the passing of this Act the plots of ground described in the Second Schedule to this Act shall be transferred to and vested in the Town Commissioners for all the estate and interest which the Harbour Commissioners have therein respectively.

Retransfer of land in a certain event.

8. If the Town Commissioners fail to lay down and complete to the satisfaction of the Harbour Commissioners, within the term of seven years from the passing of this Act, a road and footpaths between Crofton Road and the road at the railway crossing at the shore end of the west pier of Kingstown Harbour, the High Court shall, upon the application of the Harbour Commissioners made by summary petition to the Chancery Division of that court within two years after the expiration of the said term of seven years, and on proof of the failure, make an order vesting in the Harbour Commissioners the strips of ground described in paragraph 2 of the Second Schedule to this Act, and those strips of ground shall vest in the Harbour Commissioners by virtue of the order without any conveyance or assignment.

Limitation of building powers.

9. The Town Commissioners shall not, without the consent in writing of the Harbour Commissioners, erect or place on the sloping bank to the southern edge of the Harbour Road (lower level) mentioned in paragraph 2 of the First Schedule to this Act or on the plots of land described in paragraph 1 of the Second Schedule to this Act any building or structure, and on obtaining such consent shall further obtain the approval in writing of the Harbour Commissioners to the plans and specifications of any such intended building or structure, and make and erect the building or structure only according to plans and specifications so approved.

Transfer of certain parts of roads to

10.—(1.) As from the passing of this Act there shall be transferred from the Harbour Commissioners to and vested in the

Railway Company the following parts of the roads and footways described in the First Schedule to this Act, namely— the Dublin, Wicklow, and Wexford Railway Company.

(*a*) so much of the Crofton Road as may be required for the erection of a second platform and new line of rail at Kingstown not exceeding at any one point eleven feet in breadth measured from the face of the Railway Company's boundary wall; and

(*b*) so much of the Harbour Road (upper level) as may be required for the widening of the approach to Carlisle Pier and laying down additional lines, not exceeding at any one point twelve feet in breadth measured from the inside of the Railway Company's wall.

(2.) The parts of the roads and footways transferred under this section shall be used by the Railway Company only for the purposes for which they are required to be transferred under this section and subject to the provisions of the agreement set out in the Third Schedule to this Act.

(3.) The agreement set out in the Third Schedule to this Act is hereby confirmed.

SCHEDULES.

FIRST SCHEDULE.

1. The road known as Crofton Road, 388 yards or thereabouts in length, measured from its junction with the Royal Marine Road.

2. The road known as the Harbour Road (upper level), 595 yards or thereabouts in length, measured from its junction with the said Crofton Road, including therein the sloping bank to the southern edge of the Harbour Road (lower level), excepting thereout the piece or plot of ground constituting the site of the Obelisk erected to commemorate the embarkation of His late Majesty King George the Fourth from Ireland, that is to say, a strip of land extending east and west six yards or thereabouts on each side of such Obelisk, measured from the centre thereof, and extending north and south from the said Harbour Road (upper level) to the Harbour Road (lower level), together with full liberty of ingress, egress, and regress to the said site at all times and for all purposes to the Harbour Commissioners, their agents, servants, and workmen, with or without horses, carts, or other vehicles, laden or unladen.

3. Portion of the road known as the Royal Marine Road, 72 yards or thereabouts in length, measured from its junction with the said Harbour Road.

4. The portion of the road opposite Crofton Terrace, commencing at a point on the north side of the said road, 58 yards or thereabouts west of the centre of the coal quay bridge, and terminating at a point on the north side of the said road, 128 yards or thereabouts east of the centre of the said coal quay bridge.

SECOND SCHEDULE.

1. Two plots of ground between the Victoria Baths and the shore end of the eastern pier of Kingstown Harbour, on the north side of the Harbour Road, containing together thirty-five perches or thereabouts, statute measure.

2. The strips of land on the south side of the Dublin, Wicklow, and Wexford Railway, so far as the same are the property of the Harbour Commissioners, between the west end of the Crofton Road and the railway level crossing at the shore end of the west pier of Kingstown Harbour, containing altogether about three roods and thirty perches, statute measure.

THIRD SCHEDULE.

KINGSTOWN TOWNSHIP (TRANSFER OF ROADS TO RAILWAY COMPANY).

Heads of Agreement.

Entered into the fourth day of April 1898, between the Commissioners of the Township of Kingstown, herein-after called "the Commissioners," incorporated by the Township of Kingstown Act, 1869, and the Dublin, Wicklow and Wexford Railway Company, herein-after called "the Company."

1. A clause to be inserted in the Bill, transferring to the Company, solely for the purpose of widening and improving the Kingstown Station and the approach to the Carlisle Pier, so much of the Crofton Road as may be required for the erection of a second platform and new lines of rail at Kingstown, not exceeding in breadth at any point eleven feet, measured from the north face of the Company's boundary wall, and so much of the Harbour Road (upper level) as may be required for widening the approach to Carlisle Pier and laying down additional lines, not exceeding in breadth at any one point twelve feet measured from the inside face of the Company's wall.

2. Detailed plans and drawings of the works and buildings required for the above purposes to be submitted to the Commissioners for approval, and in case of dispute as to suitability, nature, and extent of the works and buildings, and the actual widths of the roads required, or with regard to any other provision in this Agreement, the questions in dispute shall be determined by the award of a single arbitrator to be appointed by the Board of Works, whose decision shall be final, binding, and conclusive on both parties, and whose award may be made a Rule of Court at the instance of either party.

3. In case of arbitration, it is to be an instruction to the arbitrator that as little encroachment as possible shall be made on the roads consistently with the necessity of giving to the Company proper facility for the mail and passenger traffic, and that the proposed platform at Kingstown, so far as it is under the existing footway of the Crofton Road, shall be covered with a roof, supported by cantilevers, such roof to be so constructed that when covered with asphalte or concrete it may form part of the footpath on the north side of the Crofton Road. The Company may also raise the level of the footpath on Crofton Road, next the railway, to a reasonable extent, not

exceeding two feet, so as to give headroom, and for this purpose they may also tunnel under the said Crofton Road if they require to do so; and at the north-east side of the Harbour Road (upper level) they may tunnel to the full extent of the road, if necessary. Any railing to be erected on the Crofton Road to be placed as near the north-east edge of the new wall as possible, and, if necessary, on cantilevers, so as to avoid encroaching unnecessarily on the Crofton Road.

4. In any arrangement the Company may make with the Commissioners of Kingstown Harbour for increased accommodation on the Harbour Road (lower level) at Carlisle Pier, the level crossing there shall be preserved with a minimum width of twelve feet.

5. In the event of the Company herein-after seeking power by a private Bill or otherwise to close the level crossing referred to in paragraph 4, this Agreement shall not be in any way relied upon or used by the Commissioners in opposing any application for such power.

6. In case it shall be found necessary, for the purpose of making the alterations contemplated, to divert the sewer, known as the Board of Works sewer, on the Crofton Road, such diversion shall be carried out by the Company at their own expense, and they shall make such diversion, and all new and proper connections for it, to the satisfaction of the Commissioners.

7. Any new building that may be required to be erected by the Company shall be granite faced, and in keeping with the present buildings at Kingstown Station, opposite the Town Hall.

8. The Company shall, when carrying out the widening and improvement of the Kingstown Station aforesaid, place a suitable footbridge over their line from Crofton Road to the Harbour Road near the Royal Irish Yacht Club, provided that the Commissioners first convey or cause to be conveyed free of all cost to the Company so much of the site of such roads respectively as will be required for the approaches to, and erection of, the said footbridge.

9. The Company shall at their own expense provide an entrance from the east end of the station to the new platform when constructed.

10. The Company shall supply all information, and do every act within their power, to assist the Commissioners in getting possession of ground now occupied by Mrs. Synnott, boat builder, and the plot adjoining same, required for the new road proposed to be made between Crofton Road and the road at the railway crossing near the shore end of the West Pier of Kingstown Harbour, and in order thereto shall use their influence to obtain from the Dublin and Kingstown Company information as to any documents in the possession of that Company relating to the plots of ground in question.

11. The Company hereby undertake to facilitate the Commissioners by every means in their power in making the proposed road aforesaid, and in constructing such retaining wall or walls alongside the railway as may be necessary for the purpose of supporting or retaining the said road.

12. These Heads of Agreement are subject to such alterations as Parliament may think fit to make therein, but if the Committee on the Bill

make any material alteration in these Heads it shall be competent to either of the parties to withdraw the same.

In witness whereof the parties hereto have hereunto caused their respective Common Seals to be affixed the day and year first herein written.

Present when the seal of the Commissioners of the Township of Kingstown affixed hereto.

JOHN DONNELLY,
Town Clerk.

Seal of the Commissioners of the township of Kingstown.

E. M. COWAN,
Secretary, Dublin, Wicklow, and Wexford Railway.

Seal of the Dublin, Wicklow, and Wexford Railway Company.

CHAPTER 53.

An Act to provide for the Punishment of Offences in Libraries. [12th August 1898.]

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:

Short title.

1. This Act may be cited as the Libraries Offences Act, 1898.

Penalty for offences.

2. Any person who, in any library or reading-room to which this Act applies, to the annoyance or disturbance of any person using the same,—

(1) behaves in a disorderly manner;

(2) uses violent, abusive, or obscene language;

(3) bets or gambles;

(4) or who, after proper warning, persists in remaining therein beyond the hours fixed for the closing of such library or reading-room,

shall be liable on summary conviction to a penalty not exceeding forty shillings.