CHAPTER 15.

An Act to amend the Public Libraries Act (Ireland), 1855.

[28th June 1877.]

WHEREAS it is expedient to amend the Public Libraries Act (Ireland), 1855, in the manner herein-after mentioned: 18 & 19 Vict. c. 40.

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:

1. In citing this Act for any purpose whatever it shall be sufficient to use the expression "The Public Libraries (Ireland) Amendment Act, 1877." Short title.

2. The term "principal Act" shall mean the Public Libraries Act (Ireland), 1855. Interpretation.

3. The terms "science and art" and "schools of science and art" used in the said principal Act shall be deemed to include the science and art of music and schools of music respectively; and the council or board of any borough or the town commissioners of any town shall be at liberty to apply such portion as they may deem fit of the rate which they are or may be authorised to levy, under the provisions of the principal Act, towards the maintenance and support of, and payment of the salaries of teachers of a school or schools of music, and the purchase of musical instruments, books, and other requisites for the use of such school or schools. Powers of principal Act extended to schools of music.

4. The committee in which the general management, regulation, and control of such libraries, museums, or schools may be vested under the provisions of the twelfth section of the principal Act, may consist in part of persons not members of the council or board, or commissioners. Constitution of the committee of management.

5. For carrying the principal Act and this Act into execution the council, board, or commissioners respectively may, with the approval of the Commissioners of Her Majesty's Treasury, from time to time borrow, at interest, on the security of a mortgage or bond of the borough fund or the town fund, or of the rates levied in pursuance of the principal Act, such sums of money as may be by them respectively required, and the Commissioners of Public Works in Ireland may from time to time advance and lend any such sums of money. The clauses and provisions of the Companies Clauses Consolidation Act, 1845, with respect to the borrowing of money on mortgage or bond, and the accountability of officers, and the recovery of damages and penalties, so far as such provisions may respectively be applicable to the purposes of the principal Act and of this Act, shall be respectively incorporated therewith. Powers to borrow on mortgage.

6. The said principal Act and this Act shall be read and construed together as one Act. Principal Act and this Act to be construed as one Act.

CHAPTER 16.

An Act to facilitate the removal of Wrecks obstructing Navigation.

[28th June 1877.]

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:

1. This Act may be cited as the Removal of Wrecks Act, 1877. Short title.

2. This Act shall not apply to ships belonging to Her Majesty. Application of Act.

Interpretation of terms.

3. In this Act,—

The term "harbour" includes harbours properly so called, whether natural or artificial, estuaries, navigable rivers, piers, jetties, and other works in or at which ships can obtain shelter, or ship and unship goods or passengers;

The term "tidal water" means any part of the sea and any part of a river within the ebb and flow of the tide at ordinary spring tides, and not being a harbour;

The term "harbour authority" includes all persons or bodies of persons, corporate or unincorporate, being proprietors of, or intrusted with the duty or invested with the power of constructing, improving, managing, regulating, maintaining, or lighting a harbour;

The term "conservancy authority" includes all persons or bodies of persons, corporate or unincorporate, intrusted with the duty or invested with the power of conserving, maintaining, or improving the navigation of a tidal water; and

The term "general lighthouse authority" has the same meaning as it has in the Merchant Shipping Act, 1854.

17 & 18 Vict. c. 104.

Power for harbour or conservancy authority to remove wreck.

4. Where any vessel is sunk, stranded, or abandoned in any harbour or tidal water under the jurisdiction of a harbour or conservancy authority, or in or near any approach thereto, in such manner as in the opinion of the authority to be, or be likely to become, an obstruction or danger to navigation in that harbour or water, or in any approach thereto, the authority may take possession of and raise, remove, or destroy the whole or any part of the vessel, and may light or buoy any such vessel or part until the raising, removal, or destruction thereof, and may sell, in such manner as they think fit, any vessel or part so raised or removed, and also any other property recovered in the exercise of their powers under this Act, and may out of the proceeds of such sale reimburse themselves for the expenses incurred by them under this Act, and shall hold the surplus, if any, of such proceeds in trust for the persons entitled thereto.

Provided as follows:

(1.) Except in the case of property which is of a perishable nature, or which would deteriorate in value by delay, a sale shall not be made under this Act until at least seven clear days notice of the intended sale has been given by advertisement in some local newspaper circulating in or near the district over which the authority have jurisdiction; and

(2.) At any time before any property is sold under this Act, the owner thereof shall be entitled to have the same delivered to him on payment to the authority of the fair market value thereof, to be ascertained by agreement between the authority and the owner, or failing such agreement by some person to be named for the purpose by the Board of Trade, and the sum paid to the authority as the value of any property under this provision shall, for the purposes of this Act, be deemed to be the proceeds of sale of that property.

Power for general lighthouse authority to remove wreck.

5. Where any vessel is sunk, stranded, or abandoned in any fairway, or on the seashore, in the United Kingdom, the Channel Islands, or the Isle of Man, or any of the adjacent seas or islands, and there is not any harbour or conservancy authority having power to raise, remove, or destroy the same, the general lighthouse authority for that part of the United Kingdom in or near which the vessel is situate shall, if in their opinion the same is or is likely to become an obstruction or danger to navigation, have the same powers in relation thereto as are by this Act conferred upon a harbour or conservancy authority.

All expenses incurred by the general lighthouse authority under this Act, and not reimbursed in manner provided by this Act, shall be paid out of the Mercantile Marine Fund.

Powers of removal to extend to tackle, cargo, &c.

6. The provisions of this Act shall apply to every article or thing or collection of things being or forming part of the tackle, equipments, cargo, stores, or ballast of a vessel in the same manner as if it were included in the term "vessel," and for the purposes of this Act any proceeds of sale arising from a vessel and from the cargo thereof, or any other property recovered therefrom, shall be regarded as a common fund.

7. If any question arises between a harbour or conservancy authority on the one hand and a general lighthouse authority on the other hand, as to their respective powers under this Act in relation to any place being in or near an approach to a harbour or tidal water, the same shall, on the application of either authority, be referred to the decision of the Board of Trade, and that decision shall be final. Power for Board of Trade to determine certain questions between authorities.

8. The powers conferred by this Act shall be deemed to be in addition to and not in derogation of any other powers for the like object. Powers of Act cumulative.

CHAPTER 17.

An Act to amend the Law relating to the Division of Courts of Quarter Sessions in Boroughs. [28th June 1877.]

WHEREAS by the Act of the session of the seventh year of William the Fourth and the first of Her Majesty, chapter nineteen, provision is made for the better despatch of business in courts of quarter sessions for corporate cities or towns by the division of such courts, and by the appointment of an assistant barrister to preside in one division of any such court:

And whereas under the provisions of the said Act a resolution of the town council approving of the exercise of the powers of the said Act is required upon each occasion upon which such powers are proposed to be exercised, and it is provided that the assistant barrister and the assistant officers of the court shall not be entitled to claim remuneration for more than two days:

And whereas it is expedient to amend the said Act:

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:

1. Where a resolution of the council of a corporate city or town approving of the exercise of the powers of the recited Act has been passed and certified as directed by the first section of the said Act, the resolution and the certificate thereof shall, if the resolution so provides, continue in force during twelve months from the date of the resolution, and during such continuance no fresh resolution or certificate shall be necessary. Amendment of 7 W. 4. & 1 Vict. c. 19.

2. It shall be lawful for the council of any corporate city or town, with the consent of one of Her Majesty's Principal Secretaries of State, from time to time, by resolution, to extend from two to not exceeding four the number of days for which an assistant barrister, assistant clerk of the peace, or additional crier shall be entitled to claim remuneration under the provisions of the recited Act; any such resolution may be made for such period and subject to revocation in such manner as the said Secretary of State approves. Increase of time for which assistant barrister and others may be remunerated.

CHAPTER 18.

An Act to consolidate and amend the Law relating to Leases and Sales of Settled Estates. [28th June 1877.]

WHEREAS it is expedient to consolidate and amend the law relating to leases and sales of settled estates:

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:

1. This Act may be cited for all purposes as "The Settled Estates Act, 1877." Short title.