CHAPTER 17.

An Act to amend the Tramways (Ireland) Acts, 1860, 1861, and 1871. [27th June 1881.]

23 & 24 Vict. c. 152. 24 & 25 Vict. c. 102. 34 & 35 Vict. c. 114.

WHEREAS by the Tramways (Ireland) Act, 1860, (herein-after called "the Act of 1860,") the Tramways (Ireland) Amendment Act, 1861, (herein-after called "the Act of 1861,") and by a subsequent Act passed in the session of Parliament held in the year 1871, and to be read as one with the foregoing Acts, and intituled "An Act to amend the Tramways (Ireland) Acts, 1860 "and 1861," (herein-after called "the Act of 1871,") (and which three said Acts of 1860, 1861, and 1871 are together herein-after referred to as "the Tramway Acts,") powers were conferred whereby persons desirous of promoting the construction of tramways in Ireland were enabled to make use, under proper control, of the public roads, post roads, and common highways, and certain lands contiguous thereto, subject to the provisions in the Tramway Acts contained:

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:

Short title.

1. This Act may be cited for all purposes as the Tramways (Ireland) Amendment Act, 1881.

Limitation of Act.

2. This Act shall only extend to Ireland.

Interpretation of terms.

3. In this Act—

The expression "the Lord Lieutenant in Council" means the Lord Lieutenant or other chief governor or governors of Ireland for the time being, acting by and with the advice of Her Majesty's Privy Council in Ireland.

Alteration of certain tolls in 23 & 24 Vict. c. 152., Sch. B.

4. From and after the passing of this Act, Schedule B. to the Act of 1860 shall be read and have effect as if under the head of "goods" in class 1 in lieu of the words "one penny" the words "three pence" had been inserted, and as if in paragraph six of the same schedule in relation to the maximum rate of charge in lieu of the words "one penny halfpenny" the words "three pence" had been inserted.

Regulations as to speed of locomotives on tramways.

5. Subject to the rules and regulations contained in section three of the Act of 1871, the Lord Lieutenant in Council, the grand jury of any county, or other authority empowered under the Tramway Acts to grant permission to construct a tramway or tramways, may permit the owners of any such tramway or tramways, or their servants duly authorised in that behalf, to drive any locomotive worked by steam along any such tramway at a speed not greater than ten miles an hour, or through any town or village at a speed not greater than six miles an hour, and where such permission has been obtained the provisions in section four of the Act of 1871 shall be deemed not to apply.

Alterations of 24 & 25 Vict. c. 102. s 9.

6. From and after the passing of this Act in any case in which a petition of appeal is presented to the Lord Lieutenant in Council against any undertaking which shall have been approved by the grand jury and the said appeal is not proceeded with it shall be considered as having entirely failed, and it shall not be necessary

for the promoters to get the said order confirmed by Act of Parliament as required by the ninth section of the Tramways (Ireland) Amendment Act of 1861.

Alterations of 23 & 24 Vict. c. 152. s. 6. and 34 & 35 Vict. c. 114. s. 4.

7. Where any tramway is proposed to be laid alongside any public road it shall not be necessary to construct as required by the sixth section of the Tramways (Ireland) Act, 1860, and of the Tramways (Ireland) Amendment Act of 1871 the same on a level with the said public road, provided that a clear roadway of eighteen feet is left between the said tramway and the opposite footpath, or roadside boundary in case there is no footpath, and that, in case any footpath be interfered with, the promoters make another footpath in place of that interfered with; provided also, that no such deviation from the ordinary level of the road shall be permitted unless authorised by the Lord Lieutenant in Council and by the grand jury of the county or other authority empowered under the Tramway Acts to grant permission for the construction of such tramway.

Tramway Acts and this Act to be read as one.

8. The Tramways Acts (as amended by this Act) and this Act shall be read together and construed as one Act.

CHAPTER 18.

An Act to amend the law with respect to the payment of Clerks of Petty Sessions in Ireland.

[27th June 1881.]

WHEREAS it is inexpedient that the salary of petty sessions clerks should be varied according to the amount of fines levied by the courts of which they are officers and the stamps upon proceedings in such court:

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:

Salaries of clerks of petty sessions in Ireland not to depend on amount of fines or petty sessions stamps.

1. The salaries and emoluments of the petty sessions clerks in Ireland shall not after the passing of this Act be raised or lowered on account of the amount of fines levied in the court of which they are clerks, or on account of the amount of petty sessions stamps used therein, but may be raised on account of the length of service, or for merit, or for new duties attached to the office, and shall not be liable to be reduced below the amount of the salary and emoluments at which the same were fixed at the time of his appointment, or any time during his tenure of office: Provided always, that it shall be lawful to reduce the salary for the office of clerk of any petty sessions court when the office is vacant.

Provisions for securing Petty Sessions Clerks Fund from variation.

2. To secure the Petty Sessions Clerks Fund on which the salaries and retiring allowances are charged from variation, it shall be lawful for the registrar of petty sessions clerks to deduct from any sum or sums payable by him to local authorities in Ireland such sum or sums as the Lord Lieutenant or Lords Justices or other Chief Governor or Chief Governors of Ireland shall for any calendar