CHAPTER ccxxi.

An Act to amend "The Limerick Harbour (Composition of Debt) Act, 1867," in relation to Wellesley Bridge. A.D. 1882.

[18th August 1882.]

WHEREAS by the Limerick Harbour (Composition of Debt) Act, 1867, it is among other things enacted that the sum of ten thousand pounds therein mentioned should be a charge upon the Wellesley Bridge, payable to the Commissioners of Public Works in Ireland (in this Act referred to as the Commissioners of Public Works), with interest at the rate of three and a quarter per cent. per annum, and that the bridge and the tolls payable thereout should be vested in the Commissioners, and that the tolls should be applied by them, after defraying certain charges connected with the maintenance of the bridge and approaches thereto, in paying the interest on the said principal sum of ten thousand pounds, and in reduction of the same principal sum (in this Act referred to as the bridge debt), and power was given to the Commissioners of Public Works, with the sanction of the Commissioners of the Treasury, to sell, transfer, and dispose of the said bridge and approaches, and the swivel bridge connected with the Wellesley Bridge, to any grand jury or grand juries, or any other public body or bodies, upon condition of the same being toll free, and of the maintenance of the same and the approaches being duly provided for: 30 & 31 Vict. c. 53.

And whereas the bridge debt has been reduced by payments from time to time, and on the thirty-first day of December next before the passing of this Act amounted to the sum of seven thousand and seventy-six pounds eleven shillings and twopence, which now remains due, in addition to interest thereon since the said thirty-first day of December at the rate above mentioned:

And whereas it is expedient to make further provision for carrying into effect such Act and the sale of the Wellesley Bridge and the approaches thereto and the swivel bridge, to the grand

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juries of the counties of Limerick and Clare, and the corporation of Limerick or some of them, and for the maintenance thereof, and the abolition of the tolls thereof:

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 as the Wellesley Bridge (Limerick) Act, 1882.

Charge by grand juries.

2. (1.) The grand jury of the county of Limerick, if a presentment has been duly made by presentment sessions and the grand jury think fit, may present that the county of Limerick shall be charged with the payment to the Commissioners of Public Works of a portion not exceeding five eighth parts of the bridge debt, with interest thereon, and the grand jury of the county of Clare, if a presentment has been duly made by presentment sessions and the grand jury think fit, may present that the county of Clare shall be charged with the payment to the Commissioners of Public Works of a portion not exceeding three eighth parts of the bridge debt, with interest thereon.

(2.) The Commissioners of Public Works shall ascertain what sum would be charged in respect of each hundred pounds of the bridge debt, and so in proportion for smaller parts thereof, if the same were to be discharged by fifty equal half-yearly instalments, beginning at the date mentioned in the certificate, with interest on the unpaid portion at the rate of three and a quarter per cent. per annum, and shall certify the sum so ascertained to the presentment sessions for each county concerned before the meeting thereof for the purposes of this Act, and shall also certify the same to each grand jury before the assizes at which the presentment of the grand jury is proposed to be made.

(3.) The presentment of each grand jury, if made, shall provide for the payment of any sum which is presented, by fifty equal half-yearly instalments, which shall be applotted and levied from time to time without any further presentment, and shall commence at the date mentioned in the certificate.

(4.) Presentments under this Act may be traversed and may be fiated by the judge of assize, in like manner as any other presentments of a grand jury.

County presentment sessions.

3. (1.) For the purposes of this Act special meetings of the county at large presentment sessions of Limerick and Clare may be

held on days to be appointed by the Commissioners of Public Works within twelve months after the passing of this Act.

(2.) The justices and associated cesspayers for the time being entitled to attend at the ordinary county at large presentment sessions of either of the said counties shall be entitled to attend at a meeting of the presentment sessions for that county under this section.

(3.) A vote shall be taken at such special meeting of presentment sessions, or at any ordinary meeting of county at large presentment sessions, for each of the said counties to which a presentment for the purposes of this Act is submitted, by which vote the meeting shall declare whether they agree that the county cess shall be charged with the payment of any and what proportion of the bridge debt to be paid in accordance with the certificate of the Commissioners of Public Works.

Supplemental.

4. (1.) Notice of a special meeting of any presentment sessions for the purposes of this Act shall be given by the Commissioners of Public Works once in each of two consecutive weeks before the day fixed for the meeting in two or more newspapers circulating in the county in which the meeting is to be held, and the sessions shall be held in accordance with a notice so published. A like notice shall be given of the intention to submit a presentment for the purposes of this Act at any ordinary meetings of county at large presentment sessions. The Commissioners of Public Works may make such arrangements as they think fit respecting the making of application for the presentments under this Act.

(2.) Some person nominated for that purpose by the Commissioners of Public Works shall attend at each such meeting, and shall give information to the meeting as to the powers conferred upon the presentment sessions and grand jury by this Act; and as to the amount for which the county may become liable if the meeting agrees that any charge should be imposed.

Corporation of Limerick may undertake to maintain the bridge.

5. The mayor, aldermen, and burgesses of the city of Limerick (in this Act referred to as the Corporation of Limerick) may, by a resolution of the council, undertake to hold for the use of the public the Wellesley Bridge and the approaches thereto, and to maintain the same in good and sufficient order, repair, and condition, and to light both the above bridge and approaches, and also the swivel bridge and the approaches thereto by land, in a sufficient manner.

The Corporation of Limerick may, by a resolution of the council passed within six months after the making of the latest of the

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grand jury presentments, undertake to pay to the Commissioners of Public Works such portion of the bridge debt (if any) as is not charged on the counties of Limerick and Clare in pursuance of this Act, and thereupon the said portion shall be charged on and payable out of the borough fund and general purposes rate of the said corporation by fifty equal half-yearly instalments, beginning at the expiration of three months after the date of the resolution, or at any other date mentioned in the resolution, not later than four months after the date of the resolution, with interest on the unpaid portion at the rate of three and a quarter per cent. per annum, and the Commissioners of Public Works shall have the same remedy for enforcing such payment as they would have if a mortgage of the said fund and rate had been made to the said commissioners for securing the same.

Power to Harbour Commissioners to undertake maintenance of bridge.

6. The Limerick Harbour Commissioners elected and appointed under the Limerick Harbour Act, 1867, and any Act amending the same, may, by a resolution passed within six months after the making of the latest of the said grand jury presentments, in like manner as other resolutions of such commissioners to spend money are passed, undertake to maintain the swivel bridge and the approaches thereto by water in good repair and condition, and to work the same in such manner as to afford adequate accommodation both to shipping and to persons using the bridge.

Transfer of bridge.

7. When such presentments of the said grand juries have been made and fiated, and such resolutions have been passed by the council of the Corporation of Limerick and the Limerick Harbour Commissioners as are mentioned in this Act, the Commissioners of Public Works may by order declare the Wellesley Bridge and the approaches thereto by land to be, as from the date specified in the order, vested in the Corporation of Limerick for the use of the public, and may by the same order declare the swivel bridge connected with the said Wellesley Bridge and the approaches thereto by water to be, as from the date mentioned in the order, vested in the Limerick Harbour Commissioners for the use of the public, and from and after the said date the said bridges and approaches shall be vested accordingly, and no tolls, rates, or duties, or charges of any description, shall be payable for or in respect of any user of either of the bridges. If in the opinion of the Commissioners of Public Works the presentments by the grand juries or the resolutions of the Corporation and the Limerick Harbour Commissioners respectively, or any of them, are not such as to comply with the conditions, and to be adequate

for the purposes of this Act, the Commissioners of Public Works shall notify to each of the said grand juries, and to the Corporation and to the Limerick Harbour Commissioners that they do not intend to make any order under this section, and upon the giving of such notification any grand jury presentments and any resolution of the Corporation or of the Limerick Harbour Commissioners made or passed under this Act shall be void, and the provisions of the Limerick Harbour (Composition of Debt) Act, 1867, relative to the Wellesley Bridge, shall continue to be of the same effect as if this Act had not been passed.

Obligation to maintain and light the two bridges.

8. (1.) From and after the date at which the Wellesley Bridge becomes vested in the Corporation of Limerick it shall be the duty of such corporation to maintain the Wellesley Bridge and the roadway thereof and approaches thereto by land in good repair and condition; and to light the Wellesley Bridge and the swivel bridge, and the approaches to such bridges by land, in a sufficient manner.

(2.) From and after the date at which the swivel bridge becomes vested in the Limerick Harbour Commissioners it shall be the duty of those commissioners to maintain the swivel bridge and the approaches thereto by water in good repair and condition, and to work the same in such manner as to afford adequate accommodation to shipping and persons using the bridge.

(3.) The expenses of the Corporation of Limerick incurred in pursuance of this Act may be defrayed out of any moneys or rates applicable for the purpose of maintaining or lighting the roads in the city of Limerick, as the case may be, but nothing in this section shall diminish any liability of the borough fund or general purposes rate to pay the sums due to the Commissioners of Public Works.

(4.) Any expenses incurred by the Limerick Harbour Commissioners for the purposes of this Act may be defrayed out of any moneys in their hands applicable for the maintenance of the harbour.

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