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C A P. LVII.

An Act to authorize the Commissioners of Her Majesty's Treasury to compound the Public Debt due by the Commissioners of the Bridge across the River *Blackwater* near the Town of *Youghal* in the County of *Cork*, and for the Transfer of the said Bridge to the Grand Juries of the Counties of *Cork* and *Waterford*; and for other Purposes relating thereto. [15th *July* 1867.]

WHEREAS by an Act of the Ninth Year of the Reign of King *George* the Fourth, Chapter Fifty-three, intituled *An Act for the Erection of a Bridge across the River* 9 G. 4. c. liii. Blackwater, *at or near* Foxhole *and the Town of* Youghal *in the County of* Cork, *to the opposite Side in the County of* Waterford, *and for making the necessary Approaches thereto*, it was enacted that certain Persons therein named, and their Successors to be elected in manner therein mentioned, should be, and they were thereby appointed Commissioners for the Execution of said Act for making, constructing, and maintaining a Bridge over said River, at or near the Place aforesaid, with the necessary Avenues, Approaches, and other Works thereby authorized to be executed, and were thereby authorized and empowered by themselves, their Deputies, Agents, Officers, Workmen, and Servants, to make, complete, and maintain a Bridge of Stone, Timber, Iron, or other fit Materials across the River *Blackwater*, at or near the Place called *Foxhole* in the Parish of *Saint Mary's Youghal* in the County of *Cork*, to the opposite Side in the Parish

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of *Clashmore* in the County of *Waterford*, with a Drawbridge for the Passage of Shipping, and also a Quay or Quays, Abutments, and Moorings for the Convenience and Accommodation of Vessels passing the said Bridge; also to make and maintain One Road of Approach from the Mail Coach Road in *Muckridge* Townland to the said Bridge, the Townland of *Youghal*, *Foxhole*, or *Muckridge* in the Parish of *Saint Mary's Youghal* in the County of *Cork* aforesaid, One Road from the said Bridge, along the Slob or Land of the River *Blackwater*, to the Quay called and known by the Name of *Green's* Quay, to *Catherine Street* in the Parish of *Saint Mary's Youghal* aforesaid, and One Road from the Eastern End of the said Bridge, to or near *Pilltown* in the Parish of *Kinsalebeg*, and to *Summerhill* in the Parish of *Grange* and County of *Waterford* aforesaid, to communicate with the *Clashmire* and the new *Dungarvan* Roads; and, that the Navigation of the said River *Blackwater* might receive no Prejudice, it was thereby further enacted, that the Bridge so to be erected or built as aforesaid should be so constructed and built as that there should be a Passage for Ships and Vessels to pass up and down the said River by or through the said Bridge, and for that Purpose there should be in the said Bridge, or adjoining thereto, One or more lifting or Portcullis Bridge or Bridges of at least Thirty Feet in the Clear in Length, so as to admit of Vessels passing up and down the said River; and it was thereby further enacted, that the Right and Property of and in the said Bridge, and of and in the Toll House, Gate, and Bars, and all Posts, Rails, and Fences to be erected, set up, and provided in, upon, or near the said Bridge, or any of them, and of the Materials for the same, should be and were thereby vested in the said Commissioners and their Successors; and it was thereby further enacted, that the said Commissioners should, as soon as conveniently might be after a Passage should be made over the said intended Bridge, cause to be erected and set up a Turnpike Gate or Gates, or Toll Gate or Gates, at or upon the said Bridge, or at or upon some or One of the said Roads or Avenues leading thereto, belonging to the said Commissioners, or any Part or Parts thereof, and from Time to Time should and might remove the same Turnpike or Toll Gate or Turnpikes or Toll Gates, and erect or set up another Turnpike or Toll Gate, or other Turnpikes or Toll Gates, in lieu thereof upon any Part of the said Bridge or Roads, and erect and maintain such Toll Houses and other Conveniences near or adjoining to the said Turnpike or Toll Gate, as the said Commissioners should think proper, and that the respective Tolls therein specified shall be demanded and taken at the Turnpike or Toll Gate, Turnpikes or Toll Gates, to be erected as aforesaid, in the Name of or as a Pontage Toll or Duty; and that it should be lawful to and for the said Commissioners to reduce or lessen any of the Tolls granted and made payable by said Act, and also from Time to Time to advance and raise such Tolls, Rates, and Duties, provided that such Tolls should not exceed the Tolls thereby authorized; and said Commissioners were also by said Act empowered to borrow Money at Interest upon the Credit of said Tolls, or to borrow Money on Debentures of One hundred Pounds each repayable with Interest at the Rate of Ten Pounds *per Centum per Annum*: And whereas

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by Indenture of Mortgage, bearing Date the Twenty-eighth Day of *July* One thousand eight hundred and thirty, and made between *James Ellis Green*, *Samuel Allen*, *Benjamin Jackson*, and *Roger Dartnell*, being the major Part of the Commissioners present that Day, who were named and appointed Commissioners in and by the said recited Act of the Ninth Year of the Reign of His late Majesty King *George* the Fourth, present at a Meeting of the said Commissioners, held in pursuance of the said Act at *Youghal* on the said Twenty-eighth Day of *July* One thousand eight hundred and thirty, of the One Part, and *John Galloway*, Secretary to the Commissioners appointed under and by virtue of an Act of Parliament made and passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to authorize the Issue of Exchequer Bills, and the Advance of Money out of the Consolidated Fund to a limited Amount for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in* Great Britain, and also by virtue of certain other Acts therein referred to, it was witnessed that in consideration of the Proposals and Agreements therein-before mentioned, and also in consideration of the Covenants and Agreements therein-after contained, and of the Sum of Ten thousand Pounds Sterling agreed to be advanced to the said Bridge Commissioners by the said Loan Commissioners, and in further consideration of the Sum of Ten Shillings, they the said Bridge Commissioners granted, bargained, sold, assigned, transferred, and made over unto the said *John Galloway* (Secretary), in trust for the said Loan Commissioners, all that and those the said Bridge, and all and singular the Rates, Rents, Tolls, Duties, and Profits so authorized to be raised, levied, collected, and paid by virtue of the said recited Act of the Ninth *George* the Fourth, and all the Right, Title, and Interest of them, said Bridge Commissioners, to the same; to hold the said Bridge, and the Rates, Rents, Tolls, Duties, and Profits, and all the Sums of Money payable pursuant to the said Act of the Ninth *George* the Fourth therein recited, unto the said *John Galloway*, Secretary as aforesaid, his Executors, Administrators, and Assigns, for the Term of Nine hundred and ninety-nine Years, upon trust for the said Loan Commissioners and their Successors, subject to the Covenant or Condition of Redemption upon Payment of the said Sum of Ten thousand Pounds and Interest as therein mentioned: And whereas the said Sum of Ten thousand Pounds was advanced and paid to the said Bridge Commissioners, and applied in the Erection of the said Bridge and Approaches authorized by the said recited Act: And whereas the said recited Mortgage and all Monies secured thereby were afterwards transferred to and became legally vested in the Commissioners of Public Works in *Ireland:* And whereas there is now due and owing on Foot of the said recited Mortgage the Principal Sum of Ten thousand Pounds, together with Interest thereon up to the Thirty-first *December* last the Sum of Ten thousand six hundred and eighty-five Pounds Nine Shillings and Twopence, making together the Sum of Twenty thousand six hundred and eighty-five Pounds Nine Shillings and Twopence, which is the First Charge on the said Bridge and the Tolls thereof:

57 G. 3. c. 34.

Recited Mortgage, &c. became vested in Commissioners of Public Works, Ireland.

thereof: And whereas the said Commissioners, in pursuance of the Powers given by the said recited Act, also raised a further Sum of Eight thousand three hundred Pounds by Debentures, which said last-mentioned Sum, together with an Arrear of Interest, is still due and owing on the Security of the Tolls of the said Bridge: And whereas by reason of the Insufficiency of the Tolls of the said Bridge, not only for Payment of the Interest of the said Debts, but also to preserve the said Bridge and its Approaches in proper Repair, there is Danger of the said Bridge becoming impassable, whereby the Security for the said Debts and Interest would be wholly lost: And whereas it would be a great Advantage to the Public if the said Bridge and the Approaches thereto were repaired, and the said Bridge were opened free from Toll, at the joint Expense of the said Counties of *Cork* and *Waterford*, between which the same is situate: And whereas to facilitate the Transfer of the Property of the Commissioners under the said Act, or of any other Person in the said Bridge, and the Tolls thereof to the Grand Juries of the said Counties of *Cork* and *Waterford*, or to some Person on their Behalf, for the Purposes aforesaid, it is expedient to enable the Commissioners of Her Majesty's Treasury to compound the said Mortgage Debt and the Interest due on Foot thereof as aforesaid: 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:

Provision for compounding Debt due by Commissioners of Blackwater Bridge to Treasury for 2,500*l.*

1. Whenever for the Purpose of repairing the said Bridge across the River *Blackwater* at or near *Foxhole* and the Town of *Youghal*, and opening the same free from Toll, the Grand Juries of the said Counties of *Cork* and *Waterford* shall, under the Provisions of any Act or Acts them in that Behalf enabling, proceed to purchase or take the Property of the Commissioners under the said Act, or of any other Person in the said Bridge, and the Tolls thereof, and such Property shall have been purchased or taken subject to the Rights of the said Commissioners of Public Works in respect of the said Mortgage Debt and the Interest due on Foot thereof secured by the said Indenture of the Twenty-eighth Day of *July* One thousand eight hundred and thirty, it shall be lawful for the Commissioners of Her Majesty's Treasury to compound the said Mortgage Debt and the Interest due on Foot thereof at and for the Sum of Two thousand five hundred Pounds, and upon Payment of the said Sum of Two thousand five hundred Pounds to the said Commissioners of Public Works the Residue of the Term of Nine hundred and ninety-nine Years created by the said Indenture shall be vested in the said Commissioners of Public Works, upon trust to transfer the said Bridge to the said Grand Juries of the Counties of *Cork* and *Waterford* for the Purposes aforesaid, and the Passage of the said Bridge shall be open and free to all Persons, Carriages, Cattle, and Animals whatsoever.

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