



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

# VICTORIÆ REGINÆ.

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## *Cap. clxxvi.*

An Act to provide additional Powers for the  
Completion of certain Approach Roads to  
*Wexford* Free Bridge; and for other Purposes.  
[21st *July* 1863.]

**W**HEREAS an Act was passed in the Twenty-third and Twenty-fourth Years of Her Majesty, Chapter Twenty-four, called "The *Bagnalstown and Wexford* Railway Act, 1860," by which the *Bagnalstown and Wexford* Railway Company (herein-after called the Company) were, among other things, authorized to construct certain Approaches or Roads near the Town of *Wexford*, between the proposed Terminus of their Railway and *Wexford* Free Bridge: And whereas another Act was subsequently passed in the same Session of Parliament called "The *Wexford* Free Bridge Act, 1860," by which, among other things, the Grand Jury of the County of *Wexford* were authorized to present for the Purpose of the Construction of the said Approaches or Roads any Monies not exceeding Seven thousand Pounds, with Interest thereon at the Rate of Five Pounds *per Centum per Annum*, from the Date of Presentment till paid; and it was enacted that such Monies should from Time to Time be paid over by the Treasurer of the said County to such Person or Corporation as should be authorized to construct the said Approaches or Roads, provided that the due Execution of Works, to the Extent from Time to Time claimed from such Treasurer,  
[*Local.*] 29 R should

23 & 24 Vict.  
c. xxiv.

23 & 24 Vict.  
c. cvii.

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should be from Time to Time certified by the County Surveyor of the said County of *Wexford* for the Time being: And whereas the said Grand Jury did, at the Summer Assizes held in the Year One thousand eight hundred and sixty, present the said Sum of Seven thousand Pounds, with Interest thereon, and such Money, or the greater Part thereof, is now in the Hands of the Treasurer of the said County: And whereas the Company did, under the Authority of the said first-recited Act, enter into an Arrangement in the Month of *December* One thousand eight hundred and sixty-one with *William Archer Redmond* of *Liverpool*, for the Execution and Completion of the said Approaches or Roads for the said Sum of Seven thousand Pounds and Interest; and he has undertaken to guarantee the Company against all further Liabilities in relation thereto, and has now partly constructed the said Approaches or Roads: And whereas a Mandamus was on the Fourteenth Day of June One thousand eight hundred and sixty-two granted by the Court of Queen's Bench in *Ireland*, compelling the Company forthwith to execute the said Approaches or Roads; and in order to enable the said *William Archer Redmond* to complete the said Approaches or Roads the Company are desirous that the Treasurer of the said County should be authorized to pay the said Money to the said *William Archer Redmond* or his Assigns instead of to the said Company, in the Manner herein-after mentioned, but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted 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. In citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Wexford* Free Bridge Approaches and Roads Act, 1863."

Recited Acts and this Act to be as One.

2. For the Purposes of this Act, the recited Acts as amended by this Act and this Act shall be read and construed as One Act.

Interpretation of Terms.

3. The Word "Works" shall mean the Two Approach Roads set forth in the Third Section of "The *Bagnalstown and Wexford* Railway Act, 1860," and the Approaches or Roads referred to in the Twenty-second Section of "The *Wexford* Free Bridge Act, 1860:" Provided always, that the said Roads shall be at least Forty Feet in Width on the Surface thereof at all Points:

The Words "County Surveyor" shall mean the County Surveyor for the Time being of the County of *Wexford*:

The Word "Treasurer" shall mean the Treasurer for the Time being of the Grand Jury of the County of *Wexford*.

Mode of Payment for Construction of Works, &amp;c.

4. The Treasurer shall and he is hereby authorized to pay the said Sum of Seven thousand Pounds, with Interest thereon at the Rate of Five Pounds *per Centum per Annum* as provided by the said secondly recited



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recited Act, to the said *William Archer Redmond* or his Assigns, in the Manner herein-after mentioned ; (that is to say,)

Such Amount as shall be certified by the Arbitrator appointed under "The Railways Act (*Ireland*), 1851," or decided on Traverse as provided by that Act to be the Value of the House and Land Property required to be taken for the Works, and also the Amount which may have been paid by the Treasurer on account of the Works previously to the passing of this Act, shall in the first instance be deducted from the said Sum of Seven thousand Pounds ; and when and so soon as One Fourth Part as nearly as may be of the Works have been executed and shall have been certified by the County Surveyor, One Fourth Part (less Ten *per Centum*) of the Balance of the said Sum of Seven thousand Pounds shall be paid as aforesaid :

When and so soon as another Fourth Part of the Works shall have been executed and certified as aforesaid, another Fourth Part of the said Balance shall be paid as aforesaid, subject to the like Deduction of Ten *per Centum* :

When and so soon as another Fourth Part of the Works shall have been executed and certified as aforesaid, another Fourth Part of such Balance shall be paid as aforesaid, subject to the like Deduction of Ten *per Centum* :

And Six Calendar Months after the whole of the Works shall have been executed and certified as aforesaid, but before the same shall have been opened for the Use of the Public, the entire Sum remaining of the said Seven thousand Pounds and Interest shall be paid as aforesaid : Provided always, that it shall be lawful for the Treasurer to pay the last-mentioned Sum at any Time within the said Period of Six Months on the Production of a Certificate by the County Surveyor that the Works have been duly completed and are consolidated, and that it is desirable that the same should be opened for the Use of the Public.

5. The County Surveyor shall and he is hereby required, from Time to Time according as the Works shall in his Opinion be executed in the aforesaid Proportions, to issue his Certificates for the same to the said *William Archer Redmond* or his Assigns within Ten Days after a Statement showing that each Fourth Part as herein-before mentioned of the Works has been executed shall have been left by the said *William Archer Redmond* or his Assigns at the Office of such County Surveyor in the County of *Wexford* : Provided always, that it shall be lawful for the County Surveyor at any Time during the Progress of the Works to issue his Certificate in respect of any Part of the Works then actually executed, in case he shall consider it desirable so to do for the Purpose of expediting the Completion thereof.

County Surveyor to issue his Certificate of Execution of Works from Time to Time as they are completed.

6. Whenever and from Time to Time as the said *William Archer Redmond* or his Assigns shall prove to the Satisfaction of the County Surveyor

Treasurer to pay for House and

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Land Property on Production of Certificates of Value thereof, &c.

Surveyor that it is necessary to enter upon or use any of the House or Land Property before mentioned for the Purposes of the Works, the County Surveyor shall issue his Certificate to that effect, and it shall be lawful for the said *William Archer Redmond* or his Assigns, upon the Production of such Certificate, and of the Certificate of the said Arbitrator certifying the Value of the House and Land Property so required, and of the Receipt of the Party entitled to receive the Amount thereof, or of a Receipt showing the Lodgment in Court of such Amount to the Credit of such Party, as the Case may be, to request the Treasurer, and such Treasurer is hereby required thereupon to pay the Amount so certified to the said *William Archer Redmond* or his Assigns.

Works to be completed by 1st August 1864.

7. The said *William Archer Redmond* or his Assigns shall and he is hereby required to complete the whole of the Works on or before the First Day of *August* One thousand eight hundred and sixty-four, anything in the said recited Acts to the contrary notwithstanding.

If Works not duly proceeded with, Grand Jury may appoint another Person to complete them.

8. If, in the Opinion of the Grand Jury of the County of *Wexford* which shall be assembled at the Summer Assizes in the Year One thousand eight hundred and sixty-four, sufficient Progress shall not have been made by the said *William Archer Redmond*, or his Assigns, in the Execution of the Works, the said Grand Jury may appoint any other Person whom they may think fit to complete the Works, and such Person shall have the same Powers for the Purposes thereof as the Company now have under the recited Acts, and the Balance of the said Sum of Seven thousand Pounds and Interest remaining in the Hands of the Treasurer, after Payment to the said *William Archer Redmond*, or his Assigns, of such Instalments for Works already executed by him or them, and such Proportion of the Instalment for Works then in progress as shall have been certified by the County Surveyor to have been duly executed (deducting Ten *per Centum* as aforesaid), shall be payable by the Treasurer to such other Person according as the due Execution by him of such Works shall be certified by the County Surveyor: Provided always, that if the Balance remaining in the Hands of the Treasurer, exclusive of the Per-centage retained in respect of Works executed by the said *William Archer Redmond* or his Assigns as aforesaid, shall be found sufficient to complete the Works, the Treasurer shall, after the Completion thereof, and the Settlement of all Expenses connected therewith, pay over such Per-centage to the said *William Archer Redmond* or his Assigns.

Expenses of Act.

9. All the Costs, Charges, and Expenses of this Act, or incident thereto, shall be paid by the said *William Archer Redmond*, or his Assigns, out of the said Sum of Seven thousand Pounds and Interest.

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1863.