

**CHAPTER cviii.**

An Act to authorise the construction of a new in A.D. 1913.  
substitution for an existing bridge over the River  
Shannon and for other purposes. [15th August 1913.]

**W**HEREAS by the Act 4 Geo. IV. cap. xciv. intituled “An  
“ Act for the erection of a Bridge across the River  
“ Shannon and of a Floating Dock to accommodate Sharp  
“ Vessels frequenting the Port of Limerick ” provision was made  
for the erection of one stone bridge with one or more swivel  
bridge or drawbridge or bridges therein or adjoining thereto over  
the River Shannon below the bridge called Thomond Bridge  
and within the limits of the city of Limerick and it was also  
provided that to the intent that the navigation of the said river  
might receive no prejudice the bridge by the reciting Act  
authorised should be so constructed and built that there should  
remain a free and open passage for ships and vessels to pass up  
and down the river on the south side or end of the bridge  
through at or near such bridge and that for such purpose there  
should be on the said bridge or on the bank immediately  
adjoining the south end thereof one or more swivel bridge or  
drawbridge or bridges so as to admit of vessels passing up and  
down the said river near the south bank thereof from the parts  
thereof above the said bridge to the parts thereof below the  
said bridge and the contrary :

And whereas the said bridge (now known by the name of  
and in this Act called “the Wellesley Bridge”) and a swivel  
bridge in connection therewith (in this Act called “the swivel  
bridge”) were in pursuance of the lastly recited provisions  
erected in or about the year one thousand eight hundred and  
twenty-five and have since been and still are in use :

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And whereas by virtue of an order of the Commissioners of Public Works bearing date the twenty-second day of March one thousand eight hundred and eighty-three and made in pursuance of the provisions of the Wellesley Bridge (Limerick) Act 1882 and of such provisions it is and since the date of the said order has been the duty of the mayor aldermen and burgesses of the city of Limerick to light the swivel bridge and the approaches thereto by land in a sufficient manner and the swivel bridge and the approaches thereto by water are now and since the date of the said order have been vested in the Limerick Harbour Commissioners (in this Act called "the Commissioners") for the use of the public without payment of any rates tolls duties or charges of any description in respect thereof and it is the duty of the Commissioners to maintain the same 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 and any expenses incurred by the Commissioners for such purpose are to be defrayed out of any moneys in their hands applicable for the harbour:

And whereas the traffic by road over the swivel bridge has greatly increased and the swivel bridge has become unsafe and is inadequate for such traffic:

And whereas it is expedient that the Commissioners should be authorised to erect and maintain a new swivel bridge as in this Act provided in substitution for the swivel bridge:

And whereas it is expedient that the Commissioners should be empowered to borrow moneys for the purposes of this Act on the security of their property and revenues and that other the provisions of this Act should be enacted:

And whereas it is expedient that the mayor aldermen and burgesses of the city of Limerick should be empowered to contribute to the expenses to be incurred by the Commissioners under the provisions of this Act as in this Act provided:

And whereas plans and sections showing the lines and levels of the works by this Act authorised and also a book of reference thereto were duly deposited with the clerk of the peace for the county of Limerick and are in this Act referred to as the deposited plans and sections and book of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:



May it therefore please Your Majesty that it may be enacted and be it enacted by the King'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:— A.D. 1913.

1. This Act may be cited for all purposes as the *Limerick Harbour (Bridge) Act 1913.* Short title.

2. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated with or applied to the purposes of this Act have the same respective meanings And— Interpretation.

“The Commissioners” means the Limerick Harbour Commissioners;

“The swivel bridge” means the swivel bridge authorised by the Act 4 Geo. IV. cap. xciv.;

“The new swivel bridge” means the bridge by this Act authorised to be constructed;

“The works by this Act authorised” means the new swivel bridge the approaches thereto the widenings and diversions and the works in connection therewith respectively by this Act authorised;

“The recited Acts” means the Acts following (that is to say):—

4 Geo. IV. cap. xciv.;

4 & 5 Wm. IV. cap. lxxxiv.;

The Limerick Docks and Harbour Improvement Amendment Act 1847;

The Limerick Harbour Act 1867;

The Limerick Harbour (Composition of Debt) Act 1867;

The Wellesley Bridge (Limerick) Act 1882;

The Limerick Harbour Act 1888;

The Limerick Harbour Order 1903 confirmed by the Pier and Harbour Orders Confirmation (No. 4) Act 1903;

“The harbour” means the port and harbour of Limerick and the River Shannon included within the jurisdiction of the Commissioners as defined by the recited Acts or any of them together with the quays piers jetties tidal

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basins docks and other works connected therewith but does not include Wellesley Bridge or the approaches thereto or the swivel bridge and the other works connected therewith or the works by this Act authorised or the several piers and harbours in the estuary of the River Shannon now or at the time of the passing of the Limerick Harbour Act 1867 and the Limerick Harbour Act 1888 respectively vested in the Commissioners of Public Works ;

“The corporation” means the mayor aldermen and burgesses of the city of Limerick.

Incorporation of certain general Acts.

3. The following Acts and parts of Acts shall be and the same are hereby incorporated with and form part of this Act except so far as the same are expressly varied by or are inconsistent with the provisions of this Act:—

The Lands Clauses Acts (except the provisions of sections 127 to 131 both inclusive and the provisions with reference to the purchase of lands otherwise than by agreement of the Lands Clauses Consolidation Act 1845) and for the purposes of such incorporation the term “the promoters of the undertaking” in the said Act shall be construed to mean the Commissioners :

The provisions of the Railways Clauses Consolidation Act 1845 with respect to the temporary occupation of lands near the railway during the construction thereof and for the purposes of such incorporation the term “the railway” in the said provisions shall be construed to mean the works by this Act authorised and the expression “the centre of the railway” shall be construed to mean any part of the new swivel bridge and of the approaches thereto.

Power to make bridge.

4. The Commissioners may subject to the provisions of this Act and in the line and according to the levels shown on the deposited plans and sections make and maintain the works following (that is to say) A new swivel bridge and approaches for vehicular and pedestrian traffic across the River Shannon in substitution for the swivel bridge and commencing in the parish of St. Michael in the county of the city of Limerick at or near the junction of the revolving portion of the swivel bridge with the southern end of the Wellesley Bridge and terminating at or near the junction of the revolving portion of the swivel bridge with the northern end of Sarsfield Street



otherwise known as Brunswick Street in the said parish of St. Michael Provided that the width of the waterway through or under the new swivel bridge when completed shall not be less than that under the swivel bridge Provided also that the new swivel bridge shall be of such width not being less than thirty feet as the Commissioners shall determine and that the said bridge shall be of sufficient strength to accommodate and provide for modern road traffic. A.D. 1913.

5. When and so soon as the Commissioners shall have entered into a contract for the execution of the new swivel bridge by this Act authorised the Commissioners may close for traffic take down and remove the swivel bridge and may sell and dispose of the materials thereof and they may if they see fit retain such materials or any part thereof and use the same in the construction of the new swivel bridge or in the execution of any of the works by this Act authorised and may retain use and maintain all or any portion of the structure of the swivel bridge and of the approaches thereto for the purposes of or in connection with the works by this Act authorised. As to removal of swivel bridge.

6. Subject to the provisions of this Act the Commissioners may erect and maintain temporarily during the construction of the works by this Act authorised a footbridge or footbridges across the River Shannon on each or either side of the swivel bridge and may make on or in the banks bed soil and foreshore of the said river and elsewhere in connection with the works by this Act authorised and at or near any works or erections to be made or put up by the Commissioners for or connected with the construction of the works by this Act authorised the temporary footbridge or footbridges aforesaid and may place and keep in the said river all such temporary and permanent foundations piles fenders booms dolphins pontoons caissons stagings cofferdams embankments piers abutments wharves walls fences drains stairs subways buildings and all other works and conveniences as they may deem proper or find necessary or expedient and may use and occupy all or any berths moorings or mooring places in or on the banks and shores of the said river at or near or necessary or convenient for the works by this Act authorised and may close temporarily but for such period or periods only in each case as shall be requisite for the execution of the works by this Act authorised the waterway to or under Subsidiary works affecting River Shannon.

A.D. 1913. the swivel bridge or the new swivel bridge or either of them or the entrance to the liebye at either end of the navigation channel and may define limit and prescribe the waterway through the same.

Power to deviate.

7. In the construction of the works by this Act authorised the Commissioners may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and may deviate vertically from the levels shown on the deposited sections to any extent not exceeding ten feet upwards and one foot downwards Provided that no deviation either lateral or vertical below high-water mark shall be made without the consent in writing of the Board of Trade.

Power to temporarily stop up or interfere with roads &c. for purposes of new swivel bridge.

8. The Commissioners for the purposes of the powers granted to them by this Act and during the construction of the works by this Act authorised may in or upon the lands shown in connection therewith upon the deposited plans stop up interfere with alter or divert temporarily all or any part of any road street bridge stairs way stream or watercourse which they shall think necessary for such purposes to be stopped up and may put up sufficient palisades hoardings bars posts and other erections and may construct temporary works for keeping any such road street bridge stairs way stream or watercourse open for traffic and may make such orders for regulating the traffic as to them shall seem proper provided that the Commissioners shall afford reasonable access to all persons bonâ fide going to or returning from any house in any such road or street.

Alteration of streets.

9. For the purposes of or in connection with the construction of the new swivel bridge and the works by this Act authorised the Commissioners may subject to the provisions of this Act and in the manner shown on the deposited plans and sections alter both as regards lines and levels raise or lower the approaches to the new swivel bridge and may make new and alter existing junctions therewith and may divert alter and remove all such boundary walls tubes wires mains and pipes as may be necessary for the purposes of this Act and may if they see fit make and maintain in the new swivel bridge for the use of foot passengers refuges with all necessary and proper guard posts and



gas electric or other lights standards and fittings making all reasonable compensation to any person who suffers damage whether temporary or permanent to his property by reason of the exercise of any such powers the amount of such compensation failing agreement to be referred to arbitration under the Common Law Procedure (Ireland) Act 1856 provided that the arbitrator shall in assessing the amount take into consideration the benefit (if any) accruing to such person by reason of the construction of the works by this Act authorised The enactments of section 7 of the Telegraph Act 1878 shall apply to the alteration of any telegraphic line (as defined by the said Act) of the Postmaster-General which may be involved in the execution of any works authorised by this section.

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**10.** Notwithstanding anything in this Act to the contrary it shall not except as by this Act expressly provided be lawful for any person to enter upon break up or interfere with the new swivel bridge or the carriageways and footways over the same respectively for the purpose of laying down any tramway or tramroad gas water electric telegraph telephone or other main pipe or wire or executing any work therein thereon or thereunder except with the consent of the Commissioners in writing and in accordance with such terms and conditions either as to the payment of rent or other valuable consideration or otherwise as the Commissioners may reasonably determine Provided that nothing in this section contained shall prejudice or affect any of the rights powers and authorities of the Postmaster-General under the provisions of the Telegraph Acts 1863 to 1911.

No mains or pipes to be laid on new swivel bridge except with consent of Commissioners.

**11.** Subject to the provisions of this Act any of the works authorised by this Act to be constructed on in over or under tidal lands below high-water mark of ordinary spring tides shall be constructed only in accordance with such plans and sections and subject to such restrictions and regulations as previous to such works being commenced have been approved by the Board of Trade in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade.

Works below high-water mark to be subject to approval of Board of Trade.

Any alteration or extension of any such works shall be subject to the like approval.

If any work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former

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Lights on works during construction. **12.** The Commissioners shall at or near the works below high-water mark hereby authorised during the whole time of the constructing altering or extending the same exhibit and keep burning at their own expense every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade from time to time require or approve.

If the Commissioners fail to comply in any respect with the provisions of this section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Permanent lights on works. **13.** The Commissioners shall at the outer extremity of their works below high water exhibit and keep burning from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Commissioners of Irish Lights shall from time to time direct.

If the Commissioners fail to comply in any respect with the provisions of the present section they shall for each day in which they so fail be liable to a penalty not exceeding twenty pounds.

Existing powers of Commissioners over swivel bridge to extend to new swivel bridge. **14.** From and after the completion of the new swivel bridge by this Act authorised the following provisions shall have effect (that is to say):—

All powers rights duties and liabilities enjoyed by or imposed on the Commissioners or the corporation at the date of the passing of this Act in respect of or in connection with or in anywise concerning the swivel bridge or the approaches thereto by road or by water or the works in connection therewith and all byelaws in force at such date with respect to such bridge approaches or works shall be deemed to apply and shall apply to the new swivel bridge and the approaches thereto and the works in connection therewith by this Act authorised and any reference to the swivel bridge in the recited Acts shall be construed as referring to the new swivel bridge.



15. The Commissioners may acquire by agreement but not otherwise and may hold any lands required for the purposes of this Act or any interest in any lands or any easement right or privilege in or over any lands and may also acquire any easement right or privilege in or over the River Shannon or the banks bed shore or foreshore thereof and may vary and extinguish any such easements rights or privileges and may extinguish or vary all or any other public or private rights across or affecting the said river which it may be necessary or advisable to extinguish or vary in or for the execution of the purposes of this Act.

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Power to  
purchase  
lands and  
easements.

16. The Commissioners may borrow at interest for any of the purposes of this Act any sum or sums not exceeding ten thousand pounds upon the credit and security and on mortgage of the rates and dues leviable by them and of the rents and other income of the Commissioners and any such loan or loans shall be repaid by half-yearly instalments of principal or of principal and interest combined provided that the number of such instalments shall be such number not exceeding eighty in all as the Commissioners shall resolve:

Power to  
borrow.

Provided that the loans mentioned in Schedule B. of the Limerick Harbour Act 1888 and any other loans made by the Commissioners of Public Works in Ireland so far as the same shall be unrepaid and outstanding shall have priority over any loan or loans made under this Act.

17.—(1) The corporation during the period (not being less than twenty-five years) over which any loan borrowed by the Commissioners for the purposes of this Act shall extend are hereby empowered to and they shall contribute half yearly and each year in such period to the Commissioners such an amount as shall be equal to the amount which the Commissioners shall be required in each half year to pay by way of interest and repayment of principal in respect of the sum of two thousand pounds part of such loan.

Contribution  
by corpora-  
tion of  
Limerick.

(2) The first of such payments by the corporation shall be at the end of six months after the Commissioners shall have borrowed by way of loan the sum of two thousand pounds or upwards for the purposes of this Act and succeeding payments shall be made at regular intervals of six months and in case of default the amount due with interest at the rate of four

A.D. 1913. — pounds per centum per annum thereon from the date on which the same is payable to the date of payment shall be deemed to be a debt due from the corporation to the Commissioners and may be recovered by the Commissioners from the corporation in any court of competent jurisdiction.

(3) The moneys to be paid by the corporation under this section shall be chargeable to and paid out of the rate for general purposes levied by the corporation within the county borough of Limerick.

As to ex-  
penses of  
Commis-  
sioners.

**18.** Any expenses incurred by the Commissioners for the purposes of this Act may be defrayed out of any moneys in their hands applicable for the maintenance of the harbour.

Crown  
rights.

**19.** Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Commissioners to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Woods or of the Board of Trade respectively without the consent in writing of the Commissioners of Woods or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose (which consent the said Commissioners and Board are hereby respectively authorised to give).

Expenses of  
Act.

**20.** The costs charges and expenses of and incident to the preparing applying for obtaining and passing this Act shall be paid by the Commissioners out of moneys in their hands applicable for the maintenance of the harbour or out of moneys borrowed under the provisions of this Act.

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