said, which said Portion of Footpath was lately dedicated or intended to be dedicated by the Trustees of the Lord of the Manor of Stoke Damerel to the Use of the Public, and containing by Admeasurement Eight hundred and ninety-six Square Feet and Four Inches or thereabouts Superficial Measure, which said Piece or Parcel of Ground is bounded on the North by the Keyham Steamyard, on the South by the Northern Footpath of a Road or Street leading from the Northern End of William Street to the Northern End of Tamar Street in Morice Town aforesaid, on the East by the Western Footpath of Morice Place in Morice Town aforesaid, and on the West by a Slip of Ground occupied as a Plantation and Roadway.

CAP. XVI.

An Act to amend the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, and the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four. [2d *June* 1854.]

BE it 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:

Right of Appeal given by sec. 14. of 13 & 14 Vict. c. 61. to extend to Cases in which Jurisdiction is given by s. 17.

I. That the Right and Mode of Appeal given by the Fourteenth Section of the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, as amended by the Second and Third Sections of the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four, shall extend to all Cases decided after the passing of this Act in which Jurisdiction is given by the Seventeenth Section of the said first-mentioned Act in consequence of the Agreement of Parties; but it shall be lawful, when both Parties shall desire that the Decision of the County Court Judge shall be final, to exclude such Right of Appeal, by expressing such their Desire in the Memorandum of Agreement directed by the said Seventeenth Section to be filed with the Clerk of the Court.

Petitions for Protection from Process to be within the Provisions of the 8th Section of 15 & 16 Vict. c. 54.

II. The Provisions of the Eighteenth Section of the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four, shall extend to all Cases of Petitions for Protection from Process made to a County Court under the Provisions of the Acts of the Fifth and Sixth *Victoria*, Chapter One hundred and sixteen, of the Seventh and Eighth *Victoria*, Chapter Ninety-six, and of the Tenth and Eleventh *Victoria*, Chapter One hundred and two, as fully as if the filing of every such Petition had been required to be registered by the said Eighteenth Section of the first-recited Act.

CAP. XVII.

An Act to make further Provision for defining the Boundaries of Counties, Baronies, Half Baronies, Parishes, Townlands, and other Divisions and Denominations of Land in *Ireland* for public Purposes. [2d *June* 1854.]

'WHEREAS by an Act passed in a Session of Parliament held in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Ninety-nine, it was amongst other Matters enacted, that from and after the passing of the said Act it should and might be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time or Times and from Time to Time, as to him or them should or might seem fitting and expedient, to nominate and appoint any Person or Persons, as such Lord Lieutenant or other Chief Governor or Governors should think necessary and expedient, to ascertain and mark out the reputed Boundaries of all and every or any Barony, Half Barony, Townland, Parish, or other Division or Denomination of Land, by what Name soever any such Division or Denomination should or might be known or called, in any and every Part of *Ireland*, and to appoint any and every such Person or Persons to be Surveyors or a Surveyor for the carrying into effect the Purposes of said Act: And whereas in pursuance of the said Act such Boundaries

'were

'were duly ascertained and marked out; but in consequence of the recent Alterations of 'the Course of Rivers and other Changes which have taken place in such Boundaries, ro 'where, in consequence of Land having been reclaimed from the Sea or a Tidal River or a 'Lake, it is necessary, for the Purpose of the Ordnance Survey, and also for other public 'Purposes, that Provision should be made for the Revision of such Boundaries:' 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:

Power to Lord Lieutenant to appoint Surveyors to ascertain the Boundaries of Baronies, Townlands, Parishes, &c. and remove them during Pleasure.

I. From and after the passing of this Act, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time or Times and from Time to Time, as to him or them shall seem fitting and expedient, to nominate any One or more Persons to ascertain and mark out any such Alterations in the reputed Boundaries of all and every or any County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land, by what Name soever any such Division or Denomination shall or may be known or called, in any and every Part of *Ireland*, and that the Lord Lieutenant may from Time to Time remove such Person or Persons, and upon the Removal, Resignation, or Death of any such Person or Persons so appointed shall and may nominate any other Person in the Place or Stead of the Person so dying, resigning, or removed.

Power to Boundary Surveyors to appoint Assistant Surveyors.

II. Every Person so from Time to Time to be appointed shall be called the "Boundary Surveyor;" and it shall and may be lawful for every such Boundary Surveyor to appoint and employ such Surveyors and other Persons as he may deem necessary to assist him in carrying this Act into execution, and from Time to Time to discharge and remove such Persons or any of them, and to appoint other Persons in their Stead: Provided nevertheless, that the Appointment or Removal of any such Surveyor or other Person shall not be valid or effectual until the same respectively shall have been approved of by the Lord Lieutenant or other Chief Governor of *Ireland* by Writing under the Hand of the Chief or Under Secretary for the Time being.

Power to Surveyor to mark out and define altered Boundaries, &c.

III. When the Boundary Surveyor for the Time being shall find that any Change or Alteration has taken place in the Course of any River, Stream, or Fence which had before formed the Boundary of any County, Barony, Parish, Townland, or other Division or Denomination of Land, or in any Part of such Boundary, as marked out under the said recited Act, or that any Land has been reclaimed from the Sea or a Tidal River or a Lake, it shall be lawful for such Boundary Surveyor to ascertain, define, and mark out the present acknowledged or reputed Boundaries of every such County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land, or of such Portion or Portions thereof respectively, as such Boundary Surveyor may deem it necessary to ascertain, define, or mark out.

Surveyor, &c. empowered to enter Lands to fix Boundaries.

IV. For the Execution of the Purposes of this Act, it shall and may be lawful for any Surveyor appointed under this Act, and for any other Person acting in aid or under the Orders of such Surveyor, and for any Officer or Person appointed by or acting under the Orders of the Master General and Board of Ordnance, and they are hereby respectively authorized and empowered, from Time to Time to enter into and upon any Land or Ground of any Person or Persons whomsoever, for the Purpose of making and carrying on any Survey authorized by this Act, or by the Order of the Master General and Board of Ordnance, and for the Purpose of fixing any Object to be used in the Survey, or any Post, Stone, or Boundary Mark whatsoever, and to fix and place any such Object, Post, Stone, or Boundary Mark whatsoever in the Land or Ground, or upon any Wall, Tree, or Post in the Land or Ground of any Person or Persons whomsoever, and to dig up any Ground for the Purpose of fixing any such Object, Post, Stone, or Boundary Mark, and also to enter upon any Lands or Grounds through which any such Surveyor shall deem it necessary and proper to carry any Boundary Line for the Purposes of this Act, at any Time or Times whatever: Provided always, that such Surveyor and his Assistants and Workmen shall do as little Damage as may be in the Execution of the several Powers to them granted by this Act:

V. When

V. When it shall appear to such Boundary Surveyor that the Boundary or Portion of the Boundary (as the Case may be) of any County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land is sufficiently ascertained, such Boundary shall be marked out by such Boundary Surveyor or such other Person or Persons as he shall appoint for that Purpose in such substantial and durable Manner as he or they shall think fit and necessary. Surveyor shall ascertain the present Boundaries of the Townlands, and mark out the same.

VI. If any Person or Persons shall wilfully obstruct or hinder any Surveyor in the Execution of his Duty in or about the ascertaining and marking out of the Boundaries of any County, Barony, Half Barony, Townland, Parish, or Division, under the Provisions of this Act, or shall assault any such Surveyor, or shall in any way resist such Surveyor in the Performance of his Duty under this Act, or shall obstruct, hinder, assault, or resist any Collector, or any Workman or other Person acting in aid of any such Surveyor in the Execution of this Act, every Person so offending, and being thereof convicted in manner herein-after mentioned, shall forfeit and pay a Sum not exceeding Ten Pounds and not less than Two Pounds, in the Discretion of the Justice before whom such Offender shall be convicted. Penalty on obstructing Surveyor, &c. in Execution of Duties.

VII. If any Person shall fill up any Trench, or take away, remove, or displace or alter the Situation of any Boundary Stone, Post, or Mark which shall be set up and placed for the Purposes of this Act, or shall wilfully deface, mutilate, break, or destroy any such Boundary Stone, Post, or Mark, every Person so offending, and being thereof convicted in manner herein-after mentioned, shall forfeit and pay a Sum not exceeding Ten Pounds and not less than Two Pounds, in the Discretion of the Justice before whom such Offender shall be convicted. Penalty on removing or defacing Boundaries, Stones, &c.

VIII. All Penalties imposed by this Act may be recovered before any Justice of the Peace under the Provisions of the Petty Sessions (*Ireland*) Act, One thousand eight hundred and fifty-one. Penalties may be recovered before Justices of the Peace.

IX. If any Person or Persons interested in any such Boundaries shall be dissatisfied with or shall have any Objection to any Boundary Line or any Part thereof, as marked out by any Surveyor under the Provisions of this Act, it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the Division of the County in which such Boundary Line or any Part thereof so objected to shall be situate, and every Person so appealing shall (if there shall be sufficient Time after the Cause of Complaint shall have arisen) first give or cause to be given Twenty-one Days Notice at least in Writing of his or her Intention of bringing such Appeal, and of the Matters thereof, to the Clerk of the Peace of such County, and within Seven Days next after the Date of such Notice shall enter into a Recognizance before some Justice of the Peace of such County, with Two sufficient Sureties, conditioned to bring such Appeal to a Hearing, and to abide by or to submit to the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and for Want of sufficient Time for giving such Notice previous to the Quarter Sessions next after the Cause of any such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General or Quarter Sessions of the Peace to be holden for such Division of such County, and the Clerk of the Peace, within Six Days after the Receipt thereof, shall give Notice of such Appeal to the Boundary Surveyor, and also to the Churchwardens or Churchwarden of the Parish or Parishes within or between which such Boundary Line or such Part thereof as shall be objected to shall be situate, and such Churchwardens or Churchwarden shall post Copies of such Notice, or shall cause the same to be posted and affixed, on the most public Doors of the Churches and other Places of Public Worship within such Parish or Parishes, and at such other Places as are appointed by Law for the posting of Notices in such Parishes, on the *Sunday* next after the Receipt of such Notice by such Churchwardens or Churchwarden; and the Justices at such First or Second Sessions or any Adjournment thereof, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Appeal against Boundaries may be made to Quarter Sessions.

summary Way, and shall and may award such Costs to the Party appealing or appealed against as they the said Justices shall think proper, whether such Appeal shall have been entered and tried or not; and it shall be lawful for such Justices at such Sessions, by their Order or Warrant, to levy such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same, and for Want of sufficient Distress to commit such Person or Persons to the Common Gaol or House of Correction for such County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Boundary Surveyor to submit to Grand Jury a Report, &c. of proposed Alterations in any County or Barony, and where Boundaries are proposed to be altered, a Report to Grand Juries of both Counties, &c.

X. In all Cases in which it is proposed to make any Alteration of the Boundary of any County or Barony, the Boundary Surveyor shall submit to the Grand Jury of such County for Approval a Report setting forth the Detail of the proposed Alterations in such Boundaries, with the Grounds for making the same, accompanied by a Map showing the Boundary or Boundaries as originally laid down on the Ordnance Plans of such County or Barony; and in all Cases of Alteration in the Boundary between Counties a Report and explanatory Map shall be submitted for Approval to the Grand Juries of both Counties, and shall, after such Approval, be fiated by the Judge of Assize in each County at the same Spring or Summer Assizes, as the Case may be, before any further Proceedings take place in regard to the Alteration of such County Boundary: Provided always, that in case any Appeal shall have been lodged to Quarter Sessions against any such Alterations, such Reports shall not be so submitted until such Appeal shall have been determined.

Boundary Surveyor to submit a Map and detailed Report to Lord Lieutenant, showing original and altered Boundaries.

Lord Lieutenant may make Order directing that new Boundary shall be deemed the Boundary of such Counyt, Barony, &c.

XI. In all Cases in which it is proposed to make an Alteration in any Boundary from that heretofore laid down on the Ordnance Plan of any County, whether such Alteration refers to the Boundaries of Counties, Baronies, Parishes, Townlands, or other Denomination, the Boundary Surveyor shall, with all convenient Speed after such Alteration shall have been so fiated, prepare and make out a Report in detail of the proposed Alteration in any of such Boundaries, with the Grounds for making such Alteration, accompanied by a Plan or Plans showing in detail the original Boundaries as laid down on the Ordnance Plans, and those which it is proposed to substitute for them, and shall submit the sa ne to the Lord Lieutenant and Privy Council, who may, if he or they shall think fit so to do, make Order directing that the new Boundary so marked out by the Boundary Surveyor, or so altered by the Justices on the hearing of such Appeal, (as the Case may be,) or such Portion or Portions of either of such Boundary Lines as such Lord Lieutenant shall think proper, shall for all public Purposes be and be deemed and taken to be the Boundary of or Portions of the Boundary, as the Case may be, of such County, Barony, Parish, Townland, or other Division or Denomination of Land.

Lord Lieutenant may declare from what Period the same shall take effect, and adjust all Matters in respect to Right of voting at Elections, &c.

XII. The said Lord Lieutenant in Council shall and may by every such Order as aforesaid fix and declare from what Period the same shall take effect, and settle and adjust all such Matters in respect of the Right of voting at Elections of Members to serve in Parliament by Persons holding or occupying Houses, Lands, or Tenements in such County or Barony, and for the Alteration or Amendment of the Lists or Registers of Electors accordingly, and in respect of the Assessment, Applotment, and Levy of Grand Jury, and all other Rates and Assessments, and in respect of all other Matters and Things proper or necessary to be settled and adjusted in consequence of such Order; and the Order of the said Lord Lieutenant in Council shall be conclusive and binding in Law in respect of the several Matters and Things therein contained; and every such Order shall be published in the *Dublin Gazette;* and a Copy or Copies of such Order, certified under the Hand of the Clerk of the said Council, shall be transmitted to the Clerk of the Peace for each County to which such Order shall in any way relate, to be by him kept and preserved in his Office, and exhibited at all reasonable Hours to any Person or Persons who may desire to inspect the same, without Fee or Reward.

Lord Lieutenant may make supplemental Order for removing Doubts or settling Disputes, &c.

XIII. It shall be lawful for the said Lord Lieutenant in Council, from Time to Time, as Occasion may require, to make any supplemental Order or Orders for removing such Doubts or settling such Disputes as may arise in consequence of the Changes effected by virtue of the Provisions herein-before contained; and every such supplemental Order shall be published, and transmitted to the Clerk of the Peace, to be by him preserved, and exhibited

for

for Inspection in like Manner as herein-before provided in respect of any original Order; and every such supplemental Order shall have the same Force and Effect as if it had formed Part of any original Order made under the Provisions of this Act.

Act not to affect the Boundaries of Lands with respect to Rights of Owners.

XIV. No Order made in pursuance of this Act shall in any way affect the Boundary or Boundaries of any Land with reference to any Right, Title, Claim, Possession, or Interest therein; nor shall the Description or Denomination in any Pleadings or Proceedings, Criminal or Civil, in any Court of Law or Equity, pending or instituted previous to the Time limited for such Order taking effect, be in any way vitiated or affected thereby; and in the Case of any Suit or Proceeding, Criminal or Civil, pending or instituted previous to the Time assigned in and by such Order for the same taking effect, such Suit or Proceeding shall and may be continued as if no such Order had been made, and without regard thereto; and the said Order shall in respect of such Suit or Proceeding, and any and every Matter relating thereto, be void and of none effect; and wherever, in any Deed or Instrument made previous to the Time appointed for such Order taking effect, any Portion or Portions of Land shall have been described or denominated by the Name of the County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which the same may have originally belonged, such Portion or Portions of Land shall be deemed and taken to have been described or denominated by the Name of the County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which it shall be by such Order united, as if such last-mentioned County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which the same originally belonged; and such Portion or Portions of Land shall and may, in all Suits and Proceedings at Law or Equity at any Time afterwards instituted, be described and denominated as belonging to the County, Barony, Half Barony, Parish, Townland, or other Division or Denomination of Land to which it shall be so united by such Order.

Boundary Surveyor, &c. shall receive for Trouble, &c., such Sum as shall be fixed by the Lord Lieutenant.

XV. The Boundary Surveyor and every other Surveyor or Person who shall be employed in the Execution of this Act shall be entitled to receive for his Trouble and Loss of Time such Sum and Sums of Money and Allowance for Travelling and Hotel Expenses as shall be fixed by the Lord Lieutenant; which Sums of Money and Allowances shall be paid by the Commissioners of Her Majesty's Treasury at such Times and under such Regulations as shall be fixed by the Lord Lieutenant and the said Commissioners, out of Monies to be provided by Parliament for that Purpose.

Construction of certain Terms.

XVI. In the Construction of this Act the Word "Lord Lieutenant" shall be deemed to mean Lord Lieutenant or other Chief Governor or Governors of *Ireland;* the Word "County" shall include County of a City, County of a Town, and Towns Corporate, and where Counties have been divided into Ridings, each Riding shall for the Purposes of this Act be deemed and taken to be a separate County; the Word "Parish" shall include all Chapelries or Divisions of Parishes, or extra-parochial Divisions, and all Unions of Parishes.

Act to extend to Ireland only.

XVII. This Act shall extend to *Ireland* only.

CAP. XVIII.

An Act for the Encouragement of Seamen and the more effectual Manning of Her Majesty's Navy during the present War. [2d *June* 1854.]

'WHEREAS Her Majesty, by Her Order in Council, dated the Twenty-ninth Day of *March* in the Year One thousand eight hundred and fifty-four, was pleased to order that general Reprisals be granted against the Ships, Vessels, and Goods of the Emperor of All the *Russias*, his Subjects, and others inhabiting within any of his Countries, Territories, or Dominions, so that Her Majesty's Fleets and Ships shall and may lawfully seize all Ships, Vessels, and Goods belonging to the Emperor of All the *Russias*, or his Subjects, or others inhabiting within any of his Territories, Countries, or Dominions, and bring the same to Judgment in such Courts of Admiralty within Her Majesty's Dominions,