ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

****

Cap. lxiv.

An Act for further extending the Powers of several Acts for enabling the Commissioners of Wide Streets, *Dublin*, to widen and improve certain Ways, Streets, and Passages in the City and County of *Dublin*; and for raising Funds to enable the said Commissioners to carry the same into execution. [21st *June* 1841.]

WHEREAS an Act was passed in the Parliament of *Ireland* in the Thirty-first Year of the Reign of King *George* the Second, intituled *An Act for making a wide and convenient* 31 G. 2. (I.)
Way, Street, and Passage from Essex Bridge *to the Castle of* Dublin, *and for other Purposes therein mentioned:* And whereas several subsequent Acts were passed, as well in the Parliament of *Ireland* as in the Parliament of the United Kingdom, whereby certain Powers were from Time to Time given to the Commissioners of Wide Streets for the Purpose of widening and improving certain Streets, Ways, and Passages in the County and County of the City of *Dublin*, the last of which said Acts was passed in the First Year of the Reign of Her present Majesty, and is intituled *An Act to extend, alter, and* 7 W. 4. &
enlarge the Powers of several Acts for enabling the Commissioners of 1 Vict. c. 127.

Wide Streets in Dublin *to widen and improve certain Ways, Streets, and Passages in the said City and County of* Dublin; *and for raising further Funds to enable the said Commissioners to carry the same into execution:* And whereas several of the Improvements and Alterations specified and set forth in the said Act of the First Year of the Reign of Her present Majesty are in progress, and others yet remain to be perfected, but it has been found impossible to complete the same within the Time for that Purpose limited by the said last-mentioned Act: And whereas it will tend much to the Convenience and Safety of the Inhabitants of the said City, as well as of the Persons frequenting the same, and to the Benefit of the Public in general, if the Ways and Passages herein-after particularly specified and referred to in the Maps hereafter mentioned, and in the Schedule (A.) to this Act annexed, are widened and improved: May it therefore please Your Majesty that it may be enacted; and 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, That the said Act of the First Year of the Reign of Her present Majesty, and the Acts therein recited and referred to, and all and every the Powers, Provisions, Matters, and Things in the said Acts contained, (save and except such Parts thereof as may be varied, altered, or repealed by this Act, and subject to the Provisions herein-after contained,) shall be as effectual for carrying this Act into execution as if the same had been re-enacted in the Body of this present Act, and shall, save as aforesaid, extend to the following Purposes; that is to say, to widen that Part of *Grafton Street* on the East Side by the Removal of the Houses Nos. 43 to 53, both inclusive; to widen *Nassau Street* on the North Side by the Removal of the House No. 1, *Grafton Street*, and the Houses Nos. 1 to 7, *Nassau Street*, both inclusive, together with the Provost's Stables, and by taking so much of the *College Park* as will increase the Width of the Street to 63 Feet; to complete the Opening of the Quay on the North Side of the River *Liffey* between *West Liffey Street* and *King George the Fourth's Bridge* in front of the Royal Barracks; and to complete the widening of *Little Ship Street*, leading to Her Majesty's Castle, as the said several and respective Premises are more particularly described or delineated on Maps or Plans deposited with the Clerk of the Peace for the County of the City of *Dublin*, and with the Clerk or Secretary of the said Commissioners, and in the Schedule (A.) to this Act annexed.

Powers of former Acts extended to this Act, except as hereby altered.

Improvements to be made.

Form of Conveyance.

II. And be it enacted, That all Conveyances of Lands, Houses, and Premises to be purchased for the Purposes of the said Acts and this Act may be according to the Form in the Schedule (B.) to this Act annexed, or as near thereto as the Circumstances of the Case will admit; and all such Conveyances shall be effectual to vest the Lands, Houses, and Premises thereby conveyed in the Commissioners, and shall operate to merge all Terms of Years attendant by express Declaration or by Construction of Law on the Estate or Interest so thereby conveyed, and to bar and destroy all such Estates Tail, and other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts,

Trusts, and Interests whatsoever, of and in the Lands comprised in such Conveyances as shall have been purchased or compensated for by the Consideration therein mentioned, but although Terms of Years be thereby merged they shall in Equity afford the same Protection as if they had been kept on foot and assigned to a Trustee for the Commissioners to attend the Reversion and Inheritance.

Compulsory Purchase limited to Four Years.

III. And be it enacted, That the Powers of the Commissioners for the compulsory Purchase or taking of Messuages, Houses, Buildings, or Lands for the Purposes of this Act shall not be exercised after the Expiration of Four Years from the passing thereof.

Errors and Omissions to be corrected.

IV. And for the Purpose of making Provision for correcting any Omission, Mis-statement, or erroneous Description of any Messuages, Houses, Buildings, or Lands, or of the Owners, Lessees, or Occupiers thereof, described on the said Maps or Plans or in the Schedule hereto, be it enacted, That the Correction of any such Matter may be referred by the said Commissioners to the Determination of Two Justices; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace of the County of the City of *Dublin*, and shall be kept by such Clerk of the Peace along with the Documents to which they relate, and thereupon such Document, or the Schedule to this Act, shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Commissioners to make the Improvement in accordance with such Certificate.

Certified Copies of Maps to be Evidence.

V. And be it enacted, That true Copies of such Maps or Plans and Schedule, or of any Correction thereof or Extracts therefrom, certified by any such Clerk of the Peace, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Powers vested in Commissioners under former Acts to extend to this Act.

VI. And be it enacted, That all the Powers and Authorities given to or vested in the said Commissioners or their Successors, or Three or One of them, by the said Acts, or any of them, respectively, for the Purpose of carrying the said several Acts, or any of them, into execution, shall, subject to the Restrictions and Regulations hereinafter contained, be given to and vested in the said Commissioners and their Successors, or any Three or One of them, as the Case may be, for carrying this Act into execution; and the said Commissioners or their Successors, or any Three or One of them, shall have and enjoy the like Rights, Privileges, and Immunities, and shall be subject and liable to the like Rules, Regulations, and Restrictions, for the Purpose of carrying this Act into execution, as the said Commissioners and their Successors, or any Three or One of them, have and enjoy, or hath and enjoys, and are subject and liable to, for the Purpose of carrying the said recited Acts, or any of them, into execution, except

except only so far as the same, or any of them, are altered or affected by this present Act.

Consent of Lord Lieutenant to be obtained.

VII. Provided always, and be it enacted, That none of the said Works or Improvements specified in the Acts of the Eleventh Year of the Reign of King *George* the Fourth, and of the First Year of the Reign of Her present Majesty, or either of them, shall be further prosecuted, nor any of the Works or Improvements specified in this Act undertaken, commenced, or carried on, by the said Commissioners, until they shall have first obtained the Approbation and Consent for each such Improvement specifically of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to be notified in Writing by his or their Chief Secretary, or, in the Absence of such Chief Secretary, by the Under Secretary for the Time being.

Lord Lieutenant may make Regulations, with Power to direct the Audit and Examination of Accounts, &c.

VIII. And be it enacted, That the said Lord Lieutenant or other Chief Governor or Governors as aforesaid shall have Power to make such Regulations for the Government of the said Commissioners in their Proceedings under the said recited Acts and this Act, or any of them, as to said Lord Lieutenant or other Chief Governor or Governors for the Time being shall seem fit, and to require such Estimates, Reports, Accounts, Valuations, Bills of Costs, and other Documents in reference to the Proceedings and Disbursements of the said Commissioners, as the said Lord Lieutenant or other Chief Governor or Governors shall think necessary; and also from Time to Time, as and when such Lord Lieutenant or Governor or Governors shall see fit, to direct the Audit, Examination, or Taxation of all Accounts and Bills of Costs by such Officer or Person as he or they shall appoint for that Purpose, and the same shall be audited, examined, and taxed accordingly; and pending any such Audit, Examination, or Taxation, when so required and directed, it shall not be lawful for the said Commissioners to make any Payment in respect thereof.

Improvements in Nassau Street not to be made without Consent of Trinity College, Dublin.

IX. Provided also, and be it enacted, That the Improvement specified in the Schedule to this Act proposed to be made on the North Side of *Nassau Street* shall not be undertaken, commenced, or carried into effect by the said Commissioners until they shall have obtained the Concurrence of the Provost, Fellows, and Scholars of *Trinity College, Dublin*, such Concurrence to be signified in Writing by the Registrar or Bursar of the said College, in addition to the Approval of the said Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being.

For ascertaining and levying the Expences incident to this Act.

X. And be it enacted, That it shall be lawful for the said Commissioners of Wide Streets, on the first Sitting Day of any *Easter* or *Michaelmas* Term next after the passing of this Act, to lay before the Court of Queen's Bench an Account, signed by Three or more of them, of the Expences which they the said Commissioners shall have incurred or been put to in and about obtaining this Act, and, on the first Day of either of the said Terms, an Account of the Expences the said Commissioners have incurred, under the Provisions of the

said Act of the First Year of Her Majesty's Reign, in valuing the Houses and Premises in *Grafton Street* mentioned in the Schedule to that Act, and also the Houses and Premises mentioned in the Schedule to this Act annexed; and that from Time to Time, when and as the said Commissioners or their Successors shall have incurred any Expence in carrying this Act into execution, it shall be lawful for the said Commissioners, on the First Day of any *Easter* or *Michaelmas* Term, from Time to Time after such Expences shall have been ascertained, to lay before the said Court of Queen's Bench an Account, signed as aforesaid, of the Expences which they the said Commissioners shall have from Time to Time incurred or been put to in carrying this Act into execution; and the said Court of Queen's Bench shall in each and every such Case charge the Grand Jury of the County of the City of *Dublin* to meet at a certain Time, to be named by the Court; and such Grand Jury, or any Twelve or more of them, shall and they are hereby required to present the Amount of such Expences; and the same, when so presented, shall be assessed, raised, and levied on and out of all Lands, Houses, and Tenements within the District of the *Dublin* Metropolis now by Law rateable and subject to Wide Street Tax, in proportion to the Value of each and every such House, Land, or Tenement respectively, as the said Houses, Lands, or Tenements respectively are now or hereafter may be valued or rated for or towards the Tax for the Maintenance of the Police Establishment within such District, and the several Parts thereof respectively, and shall be paid by all and every the Owners or Occupiers thereof respectively, in like Manner, and with the like Remedies for the Recovery thereof, as the half-yearly Rates hereinafter mentioned.

Grand Juries to present the Amount of Inquisitions, and assess the Sums to be rated.

XI. And be it enacted, That whenever the said Commissioners shall have caused any Ground or Premises to be valued by a Jury according to the Provisions of the said Acts or of this Act, they shall from Time to Time, on the First Day of any *Easter* or *Michaelmas* Term, lay before the Court of Queen's Bench Copies of the several and respective Inquisitions and Findings of the Value of the Ground and Premises so valued; and the said Court shall in each and every such Case charge the Grand Jury of the County of the City of *Dublin* to meet at a certain Time to be named by the Court; and such Grand Jury so assembled, or any Twelve or more of such Grand Jurors, shall and they are hereby required to present the Amount of such Findings so laid before them; and the Sum or Sums so from Time to Time presented shall be assessed, raised, and levied on and out of all Lands, Houses, and Tenements within the said District of the *Dublin* Metropolis by Two equal Instalments, one Instalment every *Easter* Term, and the other Instalment every *Michaelmas* Term; and for the better raising of the Instalments it shall be lawful for the said Grand Jury so assembled, or any Twelve or more of such Grand Jurors, to present, rate, and assess on all such Land, Houses, and Tenements any Sum or Sums of Money not exceeding One Shilling in the Pound in any One Year on the Value of all such Houses, Lands, or Tenements respectively, as the said Houses, Lands, and Tenements are now or hereafter may be rated for

or towards the Maintenance of the Police Establishment within the said District, and the several Parts thereof respectively; and every such Presentment, Rate, or Assessment so made under the Provisions of this Act shall be signed by Twelve of such Grand Jurors, and when so signed shall be fiated by the Court.

Treasurer of City of Dublin to issue Warrants for levying the Rates.

XII. And be it enacted, That the Treasurer of the City of *Dublin* shall, within Fourteen Days after *Michaelmas* Term in this present Year, and within the like Period after every such *Easter* and *Michaelmas* Term in every succeeding Year, and he is hereby required to assess such Rates, in the Manner by the Act directed, on such Lands and on such Houses and Tenements erected or to be erected within the said District of the Metropolis, and on the respective Owners and Occupiers thereof, and to insert the said Assessments in Warrants, and to deliver the same to the respective Collectors of the Grand Jury Cess in the County of the City of *Dublin* for the Time being, to be by them collected and levied forthwith, in like Manner as the Amount of Inquisitions under the said recited Acts have been heretofore assessed and collected; and all the Provisions of the said recited Acts shall apply and extend to the levying of such Rates to be made under the Provisions of this Act, save as the same may be altered by this Act.

Treasurer of the City to require from the proper Officer Returns of the Valuation of the Lands, &c. within the District, and divide the same into Lists or Divisions.

and of Alterations in the Valuation;

and thereupon assess the Sums to be raised.

XIII. And to the end that the said half-yearly Rates may be more easily assessed upon the said Land, Houses, and Tenements, and their respective Owners and Occupiers, be it further enacted, That the Treasurer of the County of the City of *Dublin* shall, Fifteen Days at the least previous to the First Day of *Michaelmas* Term next after the passing of this Act, demand from the proper Officer a Copy of the Valuation of all Lands, Houses, and Tenements within the District of the Metropolis aforesaid, according as same are or shall be valued for the said Police Tax, which the said Officer is hereby empowered and required to give to such Treasurer within Ten Days after such Demand; and such Treasurer shall forthwith divide and prepare such Valuation into Parochial Lists or Divisions according to the respective Parishes or Parts thereof in which the Houses, Lands, and Tenements contained therein are situate respectively; and the said Treasurer shall thenceforward Fifteen Days at the least before each Presenting Term call upon the said Officer to furnish him with a Copy or Schedule of all such Alterations or Variations in the said Valuation for the said Police Tax as shall have been made from Time to Time, and which said Officer is hereby required in like Manner to furnish to such Treasurer, who shall from Time to Time amend such Assessment accordingly; and the said Treasurer shall thereupon assess the Sum or Sums to be raised upon the several Parishes, or Portions thereof, in the County of the City of *Dublin* and County of *Dublin*, and within the District aforesaid, according and in proportion to their respective Valuation in such general Valuation or Assessment for the said Police Tax; and in the event of the said Treasurer neglecting so to demand and make such Assessment, or in the event of the said Officer, or any of them, refusing or neglecting to comply with such Demand within the Period aforesaid, such Trea-

surer or Officer so defaulting shall for every such Default forfeit and pay any Sum not exceeding Twenty Pounds to any Person who shall sue for the same by Civil Bill.

Grand Jury to present for Expences of Copy of Valuation.

XIV. And be it enacted, That it shall and may be lawful for the Grand Jury of the County of the City of *Dublin* to present a reasonable Sum to be paid to the Officer as and for the Expences of preparing such Copy of the said Police Tax Valuation, and of any Alterations or Corrections therein from Time to Time.

Public Act.

XV. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Act may be altered this Session.

XVI. And be it enacted, That this Act may be altered or amended during this present Session of Parliament.

SCHE-

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Description of Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
	Grafton Street.		
Dwelling House and Premises, No. 43, East Side of Grafton Street in the City of Dublin.	The Earl of Miltown -	Anne Murray, William Shine, Representatives of Paul Blossett.	Samuel Barrett.
Ditto, No. 44, ditto -	Ditto - -	Ditto, ditto, ditto -	Patrick Daniel.
Ditto, No. 45, ditto -	Ditto - -	The Rev. Peter Browne, Timothy Turner, Richard Turner, and the Representatives of Paul Blossett.	John Kingsleagh, Jane Kingsleagh, Patrick Daniel, and Messrs. Sloan and Binns.
Ditto, No. 46, ditto -	Mary Ward and Joseph Mathews.	Elizabeth Hewson and Edward Martin, Jacob and Edward Martin, Edward Gutridge, and William Martin.	John Holmes and Henry Wilkins.
Ditto, No. 47, ditto -	Ditto - -	William Collins, Arthur Browne, and others, Representatives of William Norris, and the Messrs. Martin and Gutridge.	Ellen Lyons.
Ditto, No. 48, ditto -	Ditto - -	The Messrs. Martin and Gutridge.	William Collins.
Ditto, No. 49, ditto -	Ditto - -	Francis Kelly and Messrs. Martin and Gutridge.	Bartholomew Ford.
Ditto, No. 50, ditto -	Ditto - -	Luke Adderley, Representatives of Thomas Redmond, Nathaniel Colwell, and Messrs. Martin and Gutridge.	John Freeman Boardman.
Ditto, No. 51, ditto -	Ditto - -	John Clarke and Messrs. Martin and Gutridge.	William M'Comas.
Ditto, No. 52, ditto -	Ditto - -	The Messrs. Martin and Gutridge.	George Laird.
Ditto, No. 53, ditto -	Ditto - -	Thomas Cunningham and the Messrs. Martin and Gutridge.	Patrick Coyle.
	Nassau Street.		
The Dwelling House and Premises known by No. 1, East Side Grafton Street and North Side of Nassau Street.	Provost and Fellows of Trinity College, Dublin.	Basil Orpin - -	Edward Ponsonby and James Ford.

Description of Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Dwelling House and Premises, No. 1, North Side Nassau Street.	Provost and Fellows of Trinity College, Dublin.	Patrick Sarcefield and the Rev. L. W. Hepinstall.	Messrs. Henry Guilliame and M. Alphonse.
Dwelling House and Premises, No.2, North Side Nassau Street.	Provost and Fellows of Trinity College, Dublin.	Rev. L. W. Hepinstall -	Hugh Brady.
Ditto, No. 3, ditto -	Ditto - -	Matthew Callaghan, Esq.	John F. Jones.
Stable and Coach-house North Side Nassau Street.	Ditto - -	- - -	Provost of Trinity College.
Dwelling House and Premises, No. 4, North Side of Nassau Street.	Ditto - -	James Jason M'Evoy and Anne Doherty.	John Hobert Hare Holmes.
Ditto, No. 5, ditto -	Ditto - -	Ditto, ditto -	William H. Jordan.
Ditto, No. 6, ditto -	Ditto - -	Ditto, ditto -	Richard Cloney.
Ditto, No. 7, ditto -	Ditto - -	Ditto, ditto -	Thomas Goodison.
Long Piece of Ground Part of the Fellows Garden and College Park, extending along Nassau Street and Leinster Street.	Ditto - -	- - -	Provost, Fellows, and Scholars of Trinity College.
Barrack Street.			
Dwelling House and Premises, No. 52.	Commissioners of Wide Streets Dublin.	Bridget Coats - -	Jane Dillon.
Ditto, No. 53, ditto -	Ditto - -	Ditto - -	Alexander Fraser.
Ditto, No. 54, ditto -	Ditto - -	Ditto - -	Luke Heydon.
Ditto, No. 55, ditto -	Ditto - -	Ditto - -	John Rorke.
Ditto, No. 56, ditto -	Ditto - -	Charles F. Finlay -	Robert Simpson.
Ditto, No. 57, ditto -	Ditto - -	Ditto - -	Charles F. Finlay.
Ditto, No. 58, ditto -	Ditto - -	John Switzer and Lucinda his Wife, and Ralph Halloran.	Rose Darcy.
Ditto, No. 59, ditto -	Ditto - -	Ditto, ditto -	Thomas Lamb Synnott.
Ditto, No. 60, ditto -	Ditto - -	Nicholas Hynds, John Switzer and Lucinda his Wife.	Arthur Woods.
Ditto, No. 61, ditto -	Ditto - -	Ditto, ditto -	Thomas Lamb Synnott.
Ditto, No. 62, ditto -	Ditto - -	Ditto, ditto -	William Kavanagh.
Little Ship Street.			
Waste Lot of Ground on which the House No. 17, Little Ship Street, formerly stood.	Corporation of Dublin	The Commissioners of Wide Streets, Corporation of Dublin.	Waste.
Dwelling House and Premises, No. 18, ditto.	Ditto - -	- - -	Unoccupied.
Ditto, No. 19, ditto -	Ditto - -	- - -	Unoccupied.
Lot of Ground on which the House No. 20 formerly stood.	Ditto - -	- - -	Waste.
Dwelling House and Premises, No. 21, ditto.	Ditto - -	Churchwardens of St. Bridget's Parish.	

SCHEDULE (B.)

FORM of CONVEYANCE.

I of in consideration of the Sum of paid to me [*or* to *A. B.* of and *C. D.* of Two Trustees appointed to receive the same], pursuant to an Act passed, *&c.* intituled, *&c.*, by the said Commissioners, do hereby convey to the said Commissioners, their Successors and Assigns, all [*describing the Premises to be conveyed*], together with all Ways, Rights, and Appurtenances thereunto belonging, and all such Estate, Right, Title, and Interest in and to the same as I am or shall become seised or possessed of, or am by the said Act empowered to convey; to hold the Premises to the said Commissioners, their Successors and Assigns, according to the true Intent and Meaning of the said Act. In witness whereof I have hereunto set my Hand and Seal the Day of in the Year of our Lord .

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1841.