CAP. XL.

An Act for further promoting the Establishment of free Public Libraries and Museums in *Ireland*. [26th *June* 1855.]

'WHEREAS it is expedient to amend the Act of the Sixteenth and Seventeenth 'Years of Her present Majesty, Chapter One hundred and one, and to give greater 'Facilities for the Establishment in *Ireland* of free Public Libraries and Museums or 'Schools of Science and Art:' 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:

16 & 17 Vict. c. 101. and Sec. 99. of 17 & 18 Vict. c. 103. repealed.

I. The said Act of the Sixteenth and Seventeenth Years of Her present Majesty, Chapter One hundred and one, and Section Ninety-nine of the Towns Improvement Act (*Ireland*), 1854, are hereby repealed; but such Repeal shall not invalidate or affect anything already done in pursuance of either of such Acts; and all public Libraries and Museums established in *Ireland* under either of those Acts shall be considered as having been established under this Act.

Short Title.

II In citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The Public Libraries Act (*Ireland*), 1855."

Interpretation of Terms.

III. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter) the following Terms shall have the respective Meanings hereinafter assigned to them; that is to say, "Town" shall mean and include any City, Borough, Town, or Place in which Commissioners, Trustees, or other Persons have been or shall be elected or appointed under the Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, or the "Towns Improvement Act (*Ireland*), 1854," or any Local or other Act or Acts for paving, flagging, lighting, watching, cleansing, or otherwise improving any City, Borough, Town, or Place, for the Execution of any such Act or Acts, or superintending the Execution thereof, and in which there shall not be a Town Council or other such Body elected under the Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight, or any other Charter granted in pursuance of such Act, or any Act passed for the Amendment thereof; "Town Commissioners" shall mean the Commissioners, Trustees, or other Persons for the Time being elected or appointed under any such first-mentioned Acts as aforesaid; "Town Fund" shall mean the Town Fund, or the Rates or Property vested in and under the Control and Direction of any Town Commissioners, and applicable to the Purposes of any such Acts; "Town Rate" shall mean the Rate or Rates authorized to be levied by any such Town Commissioners; "Mayor" shall include Lord Mayor; "Clerk" shall mean, as regards an incorporated Borough, the Town Clerk of such Borough, and as regards a Town in which there shall be Town Commissioners the Clerk appointed by the Town Commissioners; "Householder" shall mean a Male Occupier of a Dwelling House, or of any Lands, Tenements, or Hereditaments within any Town or incorporated Borough, and entitled for the Time being to vote at Elections of Commissioners, Aldermen, or Councillors in such Town or Borough.

Act may be adopted in any incorporated Borough or any Town.

IV. The Council or Board of Municipal Commissioners of any incorporated Borough in *Ireland* regulated under the said Act of the Third and Fourth Years of Her present Majesty, Chapter One hundred and eight, or any Charter granted in pursuance of such Act, or any Act passed for the Amendment thereof, the Population of which, according to the then last Census thereof, shall exceed Five thousand Persons, or the Town Commissioners of any Town in *Ireland* having such a Population as aforesaid, may, if they think fit, appoint a Time for a Public Meeting of the Householders of the Borough or Town, as the Case may be, in order to determine whether this Act shall be adopted for the Borough or Town, and Ten Days Notice at least of the Time, Place, and Object of the Meeting shall be given by affixing the same on or near the Door of every Church and Chapel within the Borough or Town, and also by advertising the same in One or more of the Newspapers published or circulated within the Borough or Town Seven Days at least before the Day appointed for the Meeting; and if at such Meeting Two Thirds of such Persons as aforesaid

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then present shall determine that this Act ought to be adopted for the Borough or Town, the same shall thenceforth take effect and come into operation in such Borough or Town, as the Case may be, and shall be carried into execution, in accordance with the Laws for the Time being in force relating to the Municipal Corporation of such Borough, or relating to such Town.

Expenses of carrying Act into execution in a Borough or Town to be paid out of the Borough Fund or Town Fund.

V. The Expenses incurred in calling and holding the Meeting, whether this Act shall be adopted or not, and the Expenses of carrying this Act into execution in such Borough, shall be paid out of the Borough Fund, and in such Town out of the Town Fund; and the Council, or Board of Municipal Commissioners, or Town Commissioners, may levy as Part of the Borough Rate or Town Rate, as the Case may be, or by a separate Rate to be assessed and recovered in like Manner as the Borough Rate or Town Rate, all Monies from Time to Time necessary for defraying such Expenses; and distinct Accounts shall be kept of the Receipts, Payments, and Liabilities of the Council with reference to the Execution of this Act.

Accounts to be audited, and sent to Lord Lieutenant, &c. to be deposited, and open to Inspection.

VI. Such Accounts shall be audited in the same Way as all other Accounts of such Borough or Town respectively are audited, and the said Council or Board or Town Commissioners shall, within One Month after the same shall have been audited, transmit to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being a true and correct Copy of such Accounts; and shall also within the Time aforesaid cause a Copy of such Accounts to be deposited in the Office of the Clerk; and the said Accounts shall be open to the Inspection of all Householders of such Borough or Town respectively, and Copies thereof shall be delivered to any such Householder applying for the same, upon Payment of a reasonable Charge for the same, to be fixed by the Council or Board or Town Commissioners, as the Case may be.

Commissioners of Towns adopting this Act to be incorporated for Purposes of Act.

VII. The Town Commissioners of every Town adopting this Act shall for the Purposes thereof be a Body Corporate, with perpetual Succession, by the Name of "The "Commissioners for Public Libraries and Museums for the Town of "in the County of ," and by that Name may sue and be sued, and hold and dispose of Lands, and use a Common Seal.

Rate not to exceed 1*d.* in the Pound. Houses and Lands to be differently rated.

VIII. The Amount of the Rate to be levied in any Borough or Town in any One Year for the Purposes of this Act shall not exceed the Sum of One Penny in the Pound, and in any such Borough shall be assessed, raised, collected, and levied in the same Manner as the Borough Rate, and in any such Town shall be assessed, raised, collected, and levied in the same Manner as the Town Rate.

Lands, &c. may be appropriated, purchased, or rented for the Purposes of this Act.

IX. The Council or Board of any Borough and the Town Commissioners of any Town respectively may from Time to Time, with the Approval of Her Majesty's Treasury, appropriate for the Purposes of this Act any Lands vested, as the Case may be, in a Borough in the Mayor, Aldermen, and Burgesses, and in a Town in the Town Commissioners, and may also, with such Approval, purchase or rent any Lands or any suitable Buildings, and the Council or Board and Town Commissioners respectively may, upon any Lands so appropriated, purchased, or rented respectively, erect any Buildings suitable for Public Libraries or Museums or Schools of Science and Art, or both, and may apply, take down, alter, and extend any Buildings for such Purposes, and rebuild, repair, and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite Furniture, Fittings, and Conveniences.

Provisions of 8 & 9 Vict. c. 18. incorporated.

X. "The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act; but the Council or Board, and Commissioners respectively shall not purchase or take any Lands otherwise than by Agreement.

Lands, &c. may be sold or exchanged.

XI. The Council or Board and Commissioners aforesaid respectively may, with the like Approval as is required for the Purchase of Lands, sell any Lands vested in the Mayor, Aldermen, and Burgesses, or Board, or Town Commissioners respectively, for the Purposes of this Act, or exchange the same for any Lands better adapted for the Purposes; and the Monies to arise from such Sale, or to be received for Equality of Exchange, or a sufficient Part thereof, shall be applied in or towards the Purchase of other Lands better adapted for such Purposes.

XII. The

XII. The general Management, Regulation, and Control of such Libraries and Museums or Schools of Science and Art shall be, as to any Borough, vested in and exercised by the Council or Board, and as to any Town, in and by the Town Commissioners, or such Committee as they respectively may from Time to Time appoint, who may from Time to Time purchase and provide the necessary Fuel, Lighting, and other similar Matters, Books, Newspapers, Maps, and Specimens of Art and Science, for the Use of the Library or Museum, and cause the same to be bound or repaired, when necessary, and appoint salaried Officers and Servants, and dismiss the same, and make Rules and Regulations for the Safety and Use of the Libraries and Museums or Schools of Science and Art, and for the Admission of Visitors. General Management to be vested in Council or Board, or Town Commissioners.

XIII. The Lands and Buildings so to be appropriated, purchased, or rented as aforesaid, and all other Real and Personal Property whatever presented to or purchased for any Library or Museum or School of Science and Art established under this Act, shall be vested, in the Case of a Borough, in the Mayor, Aldermen, and Burgesses, and in the Case of a Town in the Town Commissioners. Property of Library, &c. to be vested in Council, Board and Commissioners respectively.

XIV. If any Meeting called as herein-before provided to consider as to the Adoption of this Act for any Borough or Town shall determine against such Adoption no Meeting for a similar Purpose shall be held for the Space of One Year at least from the Time of holding the previous Meeting. If Act not adopted at Meeting, no fresh Meeting for One Year.

XV. The Admission to all Libraries and Museums established under this Act shall be open to the Public free of all Charge. Museums to be free.

XVI. Upon the coming into operation of this Act in any Borough it shall, as regards such Borough, be incorporated with the said Act of the Third and Fourth Victoria, Chapter One hundred and eight, and upon the coming into operation of this Act in any Town it shall, as regards such Town, be incorporated with the Act or Acts in force therein relating to the Powers and Duties of the Town Commissioners. This Act to be incorporated with Local Acts in force in Borough or Town.

CAP. XLI.

An Act for abolishing the Jurisdiction of the Ecclesiastical Courts of *England* and *Wales* in Suits for Defamation. [26th *June* 1855.]

'WHEREAS the Jurisdiction of the Ecclesiastical Courts in Suits for Defamation has ceased to be the Means of enforcing the Spiritual Discipline of the Church, and has become grievous and oppressive to the Subjects of this Realm:' 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:

I. From and after the passing of this Act it shall not be lawful for any Ecclesiastical Court in *England* or *Wales* to entertain or adjudicate upon any Suit for or Cause of Defamation, any Statute, Law, Canon, Custom, or Usage to the contrary notwithstanding. Jurisdiction in Suits for Defamation abolished.

II. In the Case of every Person committed to Gaol before the passing of this Act under any Writ De contumace capiendo, issued in consequence of any Proceedings before any Ecclesiastical Court, in any Cause or Suit for Defamation of Character, the Judge of the Ecclesiastical Court before whom such Proceedings shall have been had shall make an Order upon the Officer in whose Custody such Person is for discharging such Person out of Custody, and such Officer shall, on the Receipt of such Order, forthwith discharge such Person; and it shall not be necessary for such Person to take any Oath of future Obedience to his or her Ordinary: Provided always, that such Order shall not be made unless the Costs lawfully incurred in any such Suit shall have been previously paid into the Registry of such Ecclesiastical Court, or unless the Person against whom such Costs shall have been decreed shall have already suffered Imprisonment for One Month in consequence of Non-payment thereof. Persons in Custody for Defamation under Order of Ecclesiastical Courts to be discharged, but such Order not to be made until Costs are paid.