CHAPTER 6.

An Act to amend The Public Parks (Ireland) Act, 1869. A.D. 1872.

[13th May 1872.]

WHEREAS by The Public Parks (Ireland) Act, 1869, power is given to the governing bodies of certain towns, subject to the provisions of the said Act, to establish and maintain public parks for the use and enjoyment of the persons inhabiting such towns:

And whereas doubts have arisen as to whether the parks which by the said Act the said governing bodies of such towns are authorised to establish and maintain must be situate within the boundaries of such towns respectively, and it is expedient to remove such doubts:

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:

Short title.

1. This Act may be cited for all purposes as The Public Parks (Ireland) Act, 1869, Amendment Act, 1872.

Amendment of 32 & 33 Vict. c. 28.

Parks may be within or without towns.

2. All powers and authorities conferred by The Public Parks (Ireland) Act, 1869, for the establishment, maintenance, and regulation of any public park or parks in any town or towns shall authorise the establishment, maintenance, and regulation of such park or parks, whether the same be situate within or without or partly within or partly without the boundaries of such town or towns.

Power to sell superfluous land.

3. Where the governing body of any town acting under the authority of the Public Parks (Ireland) Act, 1869, have acquired any estate or interest in any land for the purpose of establishing a public park or public parks, they may at any time within five years after the completion of such park or parks sell and dispose of their estate and interest in any portion of such land which was not required for such public park or public parks. The same

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shall be sold by public auction for the best price that can be obtained for the same.

Notice of every such intended sale of lands shall be given by the governing body of any town by advertisement in each of three consecutive weeks in some newspaper circulated within such town.

Where any such lands are subject to any fee-farm or other rent the governing body selling and disposing of their estate and interest in any portion of such lands under the authority of this Act may sell and dispose of such portions freed and discharged from, and indemnified against, all liability on account of such fee-farm or other rent, or any part of same, but subject to the payment to such governing body of such annual sum as they may think fit, being not less than the amount which would be payable in respect of such portion in case the rent payable in respect of all the lands subject to such fee-farm or other rent were apportioned between such portion and the residue of such lands: Provided always, that nothing herein contained shall in any manner be construed or taken to free the said portion of land so sold from liability to the owner of the said fee-farm or other rent in respect of the same or any part thereof.

The consideration for every such sale, and all annual sums payable in respect of any lands sold as aforesaid, shall be paid to such governing body, and shall be applied by them, in the first instance, in payment of all moneys (if any) borrowed under the authority of the said Act which shall then remain unpaid, and then to all or any of the purposes to which the rate or fund out of which the expenses incurred in acquiring the lands sold have been defrayed is applicable.

Proviso.

Provided always, that the governing body of any town shall not, under the authority of this Act, sell any greater portion of the lands purchased by them for the purpose of establishing a public park than one fourth part of such lands.

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