



ANNO QUINQUAGESIMO SECUNDO

GEORGI III. REGIS.

Cap. 53.

An Act for empowering the Grand Juries for the County of the City of *Dublin* and of the County of *Dublin*, and the Corporation, to preserve and improve the Port of *Dublin*, to vary the Scite heretofore fixed for the intended Bridge over the River *Anna Liffey*, in the said City (in place of *Ormond Bridge*) from a Spot opposite the *Four Courts*, to a Spot opposite *Charles Street* or *Mass Lane*, in the said City; and for other Purposes relating thereto.

[20th April 1812.]

WHEREAS in pursuance of an Act passed in the Forty-third Year of the Reign of His present Majesty, intituled *An Act for amending and rendering more effectual an Act passed in the Parliament of Ireland in the Fortieth Year of the Reign of His present Majesty, for promoting the Trade of Dublin, by rendering its Port and Harbour more commodious; and for repairing and preserving the Walls of the River Anna Liffey in the City of Dublin; and also for empowering the Corporation for preserving and improving the Port of Dublin to build and repair Bridges over the said River within certain Limits*, the said Corporation for preserving and improving the Port of *Dublin* did, at *Easter Term*, in the Year of our Lord One thousand eight hundred and eight, lay before the Court of King's Bench, and the Grand Juries of the County of the City of *Dublin* and

[*Loc. & Per.*]

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County of *Dublin*, the Plan and Estimate of a Bridge to be built over the River *Anna Liffey*; which said Plan and Estimate the said Court and the said Grand Juries did approve of, and did fix upon a Scite for the said Bridge, opposite to the *Four Courts* in the said City: And whereas the said Plan and Estimate were afterwards, at the ensuing *Michaelmas* Term, approved of by the Grand Juries of the County of the City and County of *Dublin*, and the Sum mentioned therein as the Estimate of the Expence thereof was presented by them: And whereas, upon more mature Consideration, the Grand Juries for the County of the City of *Dublin* and County of *Dublin*, have found it would tend more to public Convenience and Economy to build the said Bridge over the River *Anna Liffey*, opposite to *Charles Street* or *Mafs Lane*, instead of opposite to the *Four Courts*, in the said City: 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, That the Grand Juries of the County of the City of *Dublin* and County of *Dublin* shall and may hereafter, at any *Easter* or *Michaelmas* Term after the passing of this Act, alter and change the Scite of the said Bridge, from the Spot opposite the *Four Courts*, to a Spot opposite *Charles Street* or *Mafs Lane*, in the City of *Dublin*; and that when such Alteration and Change shall take Place, the said Bridge shall then be proceeded on under and subject to the Powers, Provisions and Directions, contained in the said recited Act.

The Grand Juries of the County of the City of *Dublin* and County of *Dublin* empowered to change the Scite of the Bridge.

Corporation empowered to borrow Money for building Bridge.

II. And be it further enacted, That it shall and may be lawful to and for the said Corporation to take up and borrow such Sum or Sums of Money as they shall think fit, for the Purpose of building the said Bridge, not exceeding in the whole the Sum of Ten thousand Pounds at any Rate of Interest not exceeding legal Interest in that Part of the United Kingdom called *Ireland*, and to issue Debentures for the same under their Common Seal, in such Manner and Form as they shall think proper, and which Sum and Sums of Money so borrowed shall be levied upon the Presentments made for building the said Bridge, by the Grand Juries of the County of *Dublin* and the County of the City of *Dublin*; and the said Grand Juries are hereby authorized and required to present such further Sum or Sums of Money as shall or may be necessary to pay the Interest upon the Sums so borrowed, until such Principal Sum shall be paid by such Presentments.

Grand Juries to present the Sum of £1,041 18 8 expended on *Essex* Bridge by the Corporation.

III. And whereas the said Corporation have expended a Sum of One thousand and forty-one Pounds Eighteen Shillings and Eight-pence, in repairing *Essex* Bridge over the said River *Anna Liffey*, be it therefore further enacted, That it shall and may be lawful to and for the Grand Jury for the County of the City of *Dublin*, and to and for the Grand Jury for the County of *Dublin*, at any *Easter* or *Michaelmas* Term after the passing of this Act, to present the said Sum of One thousand and forty-one Pounds Eighteen Shillings and Eight-pence, to be raised, in Addition to any Sum already presented by them for building Bridges or repairing the Quay Walls of the said City of *Dublin*.

Corporation empowered to remove Obstructions.

IV. And be it further enacted, That it shall and may be lawful for the said Corporation to prevent and remove all Obstructions, Encroachments, and Nuisances whatsoever, on the Quays, Walls, and Bridges, of the said River

River *Anna Liffey*, within the Care, Management, and Superintendence of the said Corporation as aforesaid, and to distrain and sell so much thereof by Public Cant, as shall or may be necessary to pay the Expences of such Removal, and also to expend from Time to Time, in temporary necessary Repairs of the said Bridges over the said River *Anna Liffey*, any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred Pounds in any One Year, the same to be paid out of the Funds applicable to rebuilding and repairing the Walls of the said River *Anna Liffey* Westward of *Carlisle* Bridge.

V. And whereas an Act was made in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act for repairing and preserving the Walls of the River Anna Liffey, in the City of Dublin, and for amending an Act passed in the Twenty-sixth Year of His Majesty's Reign, intituled 'An Act for promoting the Trade of Dublin, by rendering its Port and Harbour more commodious.'* And whereas one other Act was made in the Thirty-third Year of the Reign of His present Majesty, for amending the said Act: And whereas one other Act was made in the Fortieth Year of the Reign of His present Majesty, intituled *An Act for amending and rendering more effectual Two several Acts, one passed in the Twenty-sixth Year of His present Majesty's Reign, intituled 'An Act for promoting the Trade of Dublin, by rendering its Port and Harbour more commodious;'* and another Act, passed in the Thirty-second Year of His Majesty's Reign, intituled *An Act for repairing and preserving the Walls of the River Anna Liffey, in the City of Dublin, and for amending an Act, passed in the Twenty-sixth Year of His Majesty's Reign, intituled 'An Act for promoting the Trade of Dublin, by rendering its Port and Harbour more commodious.'* And whereas it has been found that some of the Provisions in the said recited Acts, relative to the Sales of the Lots and Grounds therein mentioned, are ineffectual for the said Purposes; be it therefore enacted, That the said Corporation for preserving and improving the Port of *Dublin* shall and may, and they are hereby authorized and empowered, under their Common Seal, to convey in Fee Simple the said North Lots and South Lots and Grounds in the said last several recited Acts mentioned, or such competent or convenient Parts thereof respectively as shall be sold by the said Corporation for the Purposes in such Acts, or any of them mentioned, and to vest the Fee Simple thereof in the Purchaser or Purchasers thereof; and that on the Sale or Sales of any of the said North Lots, or South Lots and Grounds, or of any Part or Parts thereof, the Costs and Expences of dividing and inclosing such Part of such Lot or Lots or Grounds, together with the Expences of all such Sales, and of delivering Possession to the Purchaser or Purchasers thereof, shall be deducted out of the Produce of such Sale; and that in case at the Time appointed for any Sale or Sales of the said Lots and Grounds, or any of them, or any Part or Parts thereof, there should not be sufficient Bidders for the same, or that the said Corporation should think proper to adjourn such Sale or Sales, that then and in every such Case it shall be lawful for the said Corporation to adjourn the same from Day to Day, or for or until such Time or Times as they shall think fit, and to hold such Sale accordingly without being obliged to give any further or other Notice of such Adjournment or Adjournments, save what they or any Three or more Members of the said Corporation shall think it necessary to give, either verbally at the Time of such Adjournment or Adjournments, or otherwise

Recital of
Act 32 Geo. 3.
&c.

Corporation
empowered to
sell certain
Grounds.

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as they shall think fit; and that all Sales of the said Lots and Grounds, or any of them, or any Part or Parts thereof, shall be holden at the *Royal Exchange*, or at the *Commercial Buildings*, in the City of *Dublin*; and that all Notices of Sales of the said Lots and Grounds, or any of them, or of any Part or Parts thereof, shall be posted up at the *Royal Exchange* and in the *Commercial Buildings* of the said City, and that it shall not be necessary to post the same, or hold any Sales at the *Tholsel* of the said City; and that all Notices of Sales of the North Lots, or any of them, or any Part or Parts thereof, shall be posted Three Calendar Months previous to such Sale or Sales, and inserted Three Times in the *Dublin Gazette* One Calendar Month at least previous to such Sale or Sales; and that all Notices of Sales of the said South Lots and Grounds, or any of them, or any Part or Parts thereof, shall be posted Twenty-one Days previous to such Sale or Sales, and inserted twice in the *Dublin Gazette* Fourteen Days at least before the Days which shall be therein appointed for such Sale or Sales; and that a Receipt or Receipts, or Acknowledgment for the Amount of the Purchase Money inserted or contained in the Body of any Deed or Deeds of Conveyance from the said Corporation, to the Purchaser or Purchasers of any Lot or Lots, or any Part thereof, or indorsed on such Deed or Deeds, shall be a sufficient Discharge or Discharges to the said Purchaser or Purchasers thereof, for his, her, or their respective Purchase Money; and that the Purchaser or Purchasers of any Lot, or of any Part of any Lot or Lots or Grounds, shall hold the same free and clear of and from all former Gifts, Grants, Conveyances, Leases, Mortgages, Judgments, and Incumbrances whatsoever.

Application
of Compensa-
tion if
amounting to
£200.

VI. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements or Hereditaments, purchased, taken, or used, by virtue of the Powers of the said recited Acts or of this Act, or any of them, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other *Cestuique* Trust, or any Persons whose Lands, Tenements, or Hereditaments, are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Corporation for executing the said recited Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements or Hereditaments, standing settled therewith to the same or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements or Hereditaments, which shall be conveyed and settled to,

to, for and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by order of the said Court upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Government Securities; and in the mean Time and until the said Government Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of such Government Securities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so directed to be purchased by virtue of the said recited Act and this Act, in case such Purchase or Settlement were made.

VII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any other Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being intitled to the Rents and Profits of the Lands, Tenements or Hereditaments, so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *Ireland*, in the Name and with the Privity of the said Accountant General in the High Court of Chancery in *Ireland*; and be placed to his Account as aforesaid, in order to be applied in Manner directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the said Corporation for executing the said recited Acts and this Act, (such Nomination to be signified under the Hands of the nominating Parties, and such Approbation under the Common Seal of the said Corporation), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application of Compensation if less than £200, and not exceeding £20.

VIII. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before-mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts or this Act, or any of them, in such Manner as the said Corporation shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Compensation if less than £20.

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IX. And

In case of not making out Titles,

or if Persons cannot be found, Purchase Money to be paid into the Bank.

IX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Acts or this Act, or any of them, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Corporation; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful to and for the said Corporation to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the Lands, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul and Disposition of the Court of Chancery, which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Ireland*, who shall receive such Sum or Sums of Money, is and are required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Land, &c. at the Time of such Purchase, shall be deemed entitled thereto.

X. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest, in any Lands, Tenements, or Hereditaments, to be purchased in pursuance of the said recited Acts, or this Act, or any of them, or to any Government Securities to be purchased with any such Money, or the Dividends or Interest of any such Government Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends and Interest of such Government Securities, and also the Capital of such Government Securities, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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XI. Provided

XI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said recited Acts, or this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied to the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of the said recited Acts, or this Act; it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts, or this Act, or so much of such Expences as the said Court shall deem reasonable to be paid by the said Corporation out of the Monies to be received by virtue of the said recited Acts, or this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court of Chancery may order reasonable Expences of Purchases to be paid by the Trustees.

XII. And whereas under and by virtue of the said recited Acts passed in the Thirty-second, Thirty-third, and Fortieth Years of the Reign of His present Majesty, the said Corporation are empowered, in case of Non-payment of certain Rates therein and thereby chargeable on the said North and South Lots, upon due Notice given as by said Acts directed, to sell and dispose of such Lots whereof the Rates so chargeable shall be in Arrear and unpaid: And whereas Difficulties may arise in obtaining Possession of such Lots as may be so sold; for Remedy whereof, be it further enacted, That all and every Person and Persons in Possession of any Lot or Lots of Ground which shall be sold by the said Corporation as aforesaid, or of any Part thereof, shall immediately upon such Sale, deliver up the Possession thereof to the Purchaser or Purchasers thereof, or to such Person or Persons as shall be authorized by the said Corporation to take Possession thereof; and in case any Person or Persons so in Possession as aforesaid, shall refuse or decline to give such Possession as aforesaid, then it shall and may be lawful for the said Corporation to issue their Precept or Precepts to the Sheriff or Coroners of the County of *Dublin*, or to the Sheriffs or Coroners of the County of the City of *Dublin*, accordingly as such Lot or Lots or Grounds may respectively be situate, commanding him or them to deliver the Possession of such Lot or Lots of Ground, or of such Part or Parts of such Lot or Lots of Ground, to such Person or Persons as shall be nominated in the said Precept or Precepts to receive the same; and the said Sheriff or Sheriffs, Coroner or Coroners, are hereby required to deliver up such Possession accordingly, and to levy such Costs as shall be incurred by the issuing and executing of such Precept or Precepts, by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or declining to give Possession as aforesaid.

Persons to deliver up Possession of Premises to Corporation.

XIII. And be it further enacted, That all and every the Authorities, Powers, Privileges, Exemptions, Provisoes, Aids, Rates, Duties, Funds, Penalties, Clauses and Enactments, in the said several recited Acts contained (save and except such Parts of the same as are varied, altered, or repealed, by any Act or Acts, or by this present Act), shall be as good, valid and effectual for carrying this Act into Execution, as if the same were repeated and re-enacted in the Body of this present Act.

Powers of former Act extended to this.

XIV. And be it further enacted, That it shall and may be lawful for the said Corporation for preserving and improving the Port of *Dublin*, to pay and

Providing for Costs of Act.

and discharge out of their Funds, all such Costs and Expences as have been or may be incurred in and about obtaining and passing this Act; and in order that the said Corporation may be reimbursed all such Sums as shall be so paid and advanced by them, it shall and may be lawful for the Grand Jury of the County of the City of *Dublin* at any presenting Terms, to present, to be raised of the said County of the said City, and paid to the said Corporation, all such Sums as the said Corporation shall have so paid and advanced, together with legal Interest for the same.

Public Act. XV. And be it further 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, Juries, and others, without being specially pleaded.

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