



ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. 9.

An Act for authorizing Sales of Fisheries and Rights of Fishing and other Hereditaments by the Provost of the College of the *Holy and Undivided Trinity* of Queen *Elizabeth* near *Dublin* in his Corporate Capacity; and for other Purposes. [5th July 1865.]

WHEREAS by "The *Trinity College, Dublin*, Leasing and Perpetuity Act, 1851," in addition to the Leasing Powers possessed by the Corporate Body of the Provost, Fellows, and Scholars of the College of the *Holy and Undivided Trinity* of Queen *Elizabeth* near *Dublin* (in this Act called "the College"), there were conferred on them and also on the Provost thereof in his Corporate Capacity (in this Act called "the Provost") Powers in certain Cases to make Leases for Ninety-nine Years and Grants in Perpetuity of Lands belonging to the College, subject to certain Exceptions in the said Act specified: And whereas the Provost has demised Lands, excepting or reserving Rights relating to Lakes, Streams, and Waters: And whereas the Provost is or claims to be entitled to Fisheries and Rights of Fishing in all or some of the

14 & 15 Vict.
c. cxxviii.

[Private.]

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Lakes,

Trinity College, Dublin, Act, 1865.

Lakes, Streams, and Waters affected by Rights so excepted or reserved: And whereas such Rights of Fishing so excepted or reserved yield inadequate Profit to the Provost: And whereas there are Grounds for believing that if such excepted Rights were offered for Sale Purchasers thereof would be found: And whereas it would be for the Benefit of the Provost that such excepted Rights should be sold, and the net Monies produced by the Sale thereof should be invested in the Purchase of Lands in *Ireland* to be settled to like Uses as the Uses to which the Premises so sold stand limited: And whereas the Provost is desirous and it is expedient that he be authorized to sell the excepted Rights, and Provision be made for the Investment of the net Proceeds of the Sales accordingly: And whereas the Objects of this Act cannot be attained without the Authority of Parliament: Wherefore Your Majesty's most dutiful and loyal Subject the Provost of the College of the *Holy and Undivided Trinity* of Queen *Elizabeth* near *Dublin*, with the Consent of the Provost, Fellows, and Scholars of the said College, does most humbly beseech 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, as follows; (that is to say,)

Short Title. 1. This Act may for all Purposes be cited as "*Trinity College, Dublin, Act, 1865.*"

Interpre-
tation of
Terms.

2. In this Act the following Words and Expressions have the following Meanings, unless excluded by the Subject or Context; (that is to say,)

(A.) "Excepted Premises" means and includes the Rights of Fishery and other Rights and Easements affecting Fisheries in Streams and Waters respectively comprised in the Schedule to this Act annexed, and by this Act made saleable:

(B.) "Lands" means and includes Messuages, Lands, Tenements, and Hereditaments of whatsoever Tenure:

(C.) "The Provost" means the Provost of the said College for the Time being in his Corporate Capacity.

Power for
Provost to
sell excepted
Premises
mentioned
in Schedule.

3. The Provost from Time to Time may sell and absolutely dispose of all or any Parts of the excepted Premises specified in the Schedule to this Act annexed, and which respectively from Time to Time are excepted or reserved from or otherwise are not comprised in any Lease or Grant in Perpetuity or Agreement for the same respectively already or hereafter made by the Provost.

Sales to be
by Auction,
&c. for best

4. The Sales from Time to Time of the excepted Premises may be by Public Auction or Private Contract, or partly by Public Auction

Trinity College, Dublin, Act, 1865.

Auction or partly by Private Contract, and in One or more Lot or Lots, and subject to the Consent of the Provost, Fellows, and Scholars of the said College to any reserved Biddings, and to any ordinary or special Conditions of Sale and otherwise as the College and the Provost may think fit; and the Consideration for the Sales shall be the best Prices in Money that, taking all the Circumstances into consideration, can be reasonably obtained for the excepted Premises sold.

Money
Prices.

5. All Conveyances or Releases from Time to Time made under this Act of the excepted Premises sold may be made by Indenture, and under the Hand and Seal of the Provost, and may contain all such Exceptions, Reservations, Conditions, Covenants, Provisoos, and Stipulations as the College and Provost think fit, and shall be duly registered in the Registry Office in the City of *Dublin*; and, except so far as is otherwise expressed in the Indenture, the Conveyance or Release thereby made shall extinguish all Rights and Privileges of the Provost connected with the Parts thereby conveyed or released of the excepted Premises.

Conveyances
to by Indenture, &c., and to be registered at Dublin.

6. The Monies arising by Sales under this Act shall be invested in Government Stock in *Ireland* in the joint Names of the Provost, Fellows, and Scholars of the said College, and of the Provost for the Time being.

Purchase
Monies to be invested in Government Stock in Ireland.

7. The Investment of any Purchase Money for any of the excepted Premises or any Part thereof as aforesaid shall effectually discharge the Persons paying the same, their Executors, Administrators, and Assigns respectively, from the same, and all Liability, Claims, and Demands relating thereto.

Investment
to discharge Purchasers.

8. It shall be lawful for the Provost, with the Consent of the said Provost, Fellows, and Scholars of the said College, to apply the whole or any Part of the said Stock so to be invested in the Purchase of Lands in Fee Simple in *Ireland* in the Name and for the Benefit of the Provost and his Successors in his Corporate Capacity, and in Payment of the Costs, Charges, and Expenses of and incident to such Purchases.

Power to invest Money in Purchase of Lands;

9. The Interest or Dividends arising from the Monies so invested in Government Stock shall be paid to the Provost until the same shall be invested in the Purchase of Lands as aforesaid.

and the Interest and Proceeds thereof to be paid to Provost.

10. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all other Persons and Bodies Politic and Corporate, and their respective Heirs, Executors, Administrators, Successors,

General Saving.

Trinity College, Dublin, Act, 1865.

Successors, and Assigns, (other than the Persons by this Act expressly excepted out of this General Saving,) all such Estate, Right, Title, Interest, Property, Benefit, Claim, and Demand whatsoever as they or any of them had before the passing of this Act, or could or might have if this Act were not passed.

Person
bound by
Act.

11. The following Person is excepted out of the General Saving in this Act contained, and accordingly is the only Person bound by this Act; (that is to say,) the Provost of the College in his Corporate Capacity, his Successors and Assigns.

Act as
printed by
Queen's
Printers to
be Evidence.

12. This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence by all Judges, Justices, and others.

The SCHEDULE referred to in the foregoing Act.

THE EXCEPTED PREMISES.

Rights of Fishery of divers Kinds in, over, and relating to the Lakes Inagh, Derryclare, and Cloonacartan, in the Townlands of Cloonacartan, Derryvealawma, Derryvoreadda, Illion West, Lehannah North, and Tawnaghmore, respectively in the Barony of Ballynahinch in the County of Galway, and in, over, and relating to Streams or Waters flowing into or out of those Lakes respectively, and in, over, and relating to other Fisheries, Streams, and Waters in those Townlands and in other Townlands in that County, and divers Water Rights and other Rights and Easements in, over, and affecting those Fisheries.

LONDON:

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Printers to the Queen's most Excellent Majesty. 1865.