CAP. XV.

An Act to empower the Commissioners of the Admiralty to construct a Tunnel between Her Majesty's Dockyard at *Devonport* and Her Majesty's Steam Factory Yard at *Keyham*, and to acquire certain Property for Her Majesty's Service. [2d *June* 1854.]

'WHEREAS it is expedient that the Commissioners for executing the Office of Lord 'High Admiral of the United Kingdom of *Great Britain* and *Ireland* should be empowered 'to make and construct a Communication between Her Majesty's Dockyard at *Devonport*, and 'Her Majesty's Steam Factory Yard at *Keyham*, by means of a Tunnel, or partly by a Tunnel 'and partly by open Cutting, for the exclusive Use of Her Majesty's Service, and that the 'said Commissioners should be empowered to acquire the Fee Simple of all such Portions of 'the said Dockyard at *Devonport*, and the Use in perpetuity of the Roadways, Ways, and 'Passages in connexion therewith, the Fee Simple of which may not now be vested in 'Her Majesty, or in the said Commissioners in trust for Her Majesty, Her Heirs and 'Successors, for the Public Service, and also the Fee Simple of certain Lands at or near the 'Entrance of the said Steam Factory Yard at *Keyham*, mentioned or referred to in the Second 'Part of the First Schedule to this Act, whether such Lands may or may not be required for 'the said Tunnel;' and as such Objects cannot be effected without the Aid and Authority of Parliament, 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:

8 & 9 Vict. c 18. incorporated with this Act.

I. The several Provisions of "The Lands Clauses Consolidation Act, 1845," shall, so far as the same may be applicable to and are not inconsistent with or modified by the Provisions of this Act, be incorporated with and form Part of this Act, and shall be applicable to the Purposes aforesaid.

Interpretation of Terms.

II. For the Purposes of this Act the Word "Lands," where used in the "Lands Clauses Consolidation Act, 1845," and in this Act, or either of them, shall extend to Messuages, Lands, Tenements, and Hereditaments of every Tenure, and to the Right and Privilege of making and acquiring the said Communication, with Shafts and Entrances thereto, and the Space or Portion of Ground required, and which may be purchased or acquired for the same, and to all such Portions as aforesaid of Her Majesty's Dockyard at *Devonport*, and the free Use in perpetuity of the Roadways, Ways, and Passages held therewith, and all other Lands, Rights, and Property, Estates and Interests, which the said Commissioners are hereby empowered to purchase or acquire; and the Words "Commissioners of the Admiralty," where used in this Act, shall mean any Two or more of the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland* for the Time being; and the Word "Tunnel," where used in this Act, shall mean any communication between Her Majesty's Dockyard at *Devonport* and Her Majesty's Steam Factory Yard at *Keyham* in the County of *Devon*, whether the same be made solely by a Tunnel or solely by open Cutting, or partly by a Tunnel and partly by open Cutting; and the Commissioners of the Admiralty shall be and be deemed to be the Promoters of the Undertaking.

Powers for constructing the Tunnel.

III. Subject to the Provisions of this Act, it shall be lawful for the Commissioners of the Admiralty and they are hereby authorized and empowered, if they think fit, to make and construct a Tunnel for the exclusive Use of Her Majesty's Service between Her Majesty's Dockyard at *Devonport* and Her Majesty's Steam Factory Yard at *Keyham* aforesaid, according to the Plans and Sections thereof deposited with the Clerk of the Peace for the County of *Devon*, with Shafts, Entrances, and other necessary Works thereto, or any Portion of such Tunnel and Works, and to lay down and work a Railway or Railways in the said Tunnel or otherwise use the same Tunnel, and for that Purpose to purchase or otherwise acquire the Right and Privilege of constructing such Tunnel and Works under, in, or through all or any of the several Lands delineated on the said Plans and mentioned or referred to in the Book of Reference deposited with the said Clerk of the Peace, and also the Space or Portion of Ground required for the same, and if necessary to purchase or acquire the Entirety of all or any of such

such Lands absolutely, and all Estates and Interests therein which are not now vested in the said Commissioners; and for the Purpose of constructing the said Tunnel and Works the said Commissioners are hereby authorized and empowered, subject to the Provisions of this Act, to dig, bore, and excavate in, under, or through all or any Houses, Lands, Buildings, Streets, Roads, Highways, Railways, Tramways, Rivers, Brooks, Streams, Canals, Wells, Springs, Sewers, Drains, Waters, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages under, in, or through which the said Tunnel, Shafts, Entrances, and other Works may be constructed, and also permanently or temporarily to stop or take up, divert, raise, and in any Manner alter all or any of such Streets, Roads, Highways, Railways, Tramways, Rivers, Brooks, Streams, Canals, Wells, Springs, Sewers, Drains, Waters, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages which may interfere with the said Tunnel or the Construction thereof, the said Commissioners reopening, reinstating, or restoring as far and as soon as practicable, consistent with the Purposes of this Act, the said Streets, Roads, Highways, Railways, Tramways, Rivers, Brooks, Streams, Canals, Wells, Springs, Sewers, Drains, Waters, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages which may be only temporarily diverted, taken, or stopped up, raised, or in any Manner altered under the Provisions of this Act, and, if necessary, constructing, making, and laying down other Streets, Roads, Highways, Railways, Tramways, Canals, Wells, Springs, Sewers, Drains, Watercourses, Mains, Pipes, Gas Pipes, Water Pipes, Aqueducts, Ways, Paths, and Passages for and in lieu of those which may be permanently stopped or taken up or permanently diverted: Provided always, that nothing in this Act contained shall enable the Commissioners of the Admiralty, to sink any Shaft in or through the Surface of any public Street, Lane, or Passage across, through, or under which the said Tunnel shall pass; and wherever the present Levels of any Sewers shall be prejudicially altered by the Commissioners of the Admiralty, such Commissioners shall continue the new Levels to the present Outlets, or make new Outlets for such Sewers, so that such Sewers may not be obstructed or impeded in their Course to the Sea, by means of any Alteration therein which may be made by the said Commissioners; and to effect any such Objects the Commissioners of the Admiralty are hereby authorized and empowered to enter upon any Lands whatsoever for the Purpose of altering such Sewers, and to alter and construct Sewers and Outlets accordingly, making full Compensation to the Owners of such Lands for any Damage or Loss thereby sustained, the Amount of such Compensation to be settled and paid as Compensation for Lands required for the other Purposes of this Act; or the Commissioners of *Devonport* shall, on the Requirement of the Commissioners of the Admiralty, at any Time or Times, at the Cost of Her Majesty, Her Heirs and Successors, alter and construct such Sewers and Outlets as aforesaid, and during the Progress of the Works in, under, or across *Moon Street* hereby authorized the present Footways therein shall be retained as at present, or the Commissioners of the Admiralty shall construct, and during the Execution of such Works in such Street maintain, on either Side of the said Street, a good and efficient Footway through such Street for its Inhabitants and other Passengers.

As to Deviation of Tunnel.

IV. If the Commissioners of the Admiralty shall deem it expedient to make any Deviation from the Line or Level of the said Tunnel as delineated and shown on the said Plans and Sections, it shall be lawful for the said Commissioners and they are hereby empowered to make such Deviation, provided the same shall not extend beyond the Limits of Deviation defined upon the said Plans; but, with the previous Consent of the Owners of the Lands thereby affected or interfered with, it shall be lawful for the said Commissioners to make any Deviation which they may deem expedient.

As to Compensation for Tunnel.

V. Before the Commissioners of the Admiralty, or any Person or Persons employed by them or acting under their Authority, shall, for the Purpose of forming or excavating the said Tunnel, Shafts, Entrances, and other Works, bore or dig in, under, or through any Lands, Dwelling Houses, or Buildings not now vested in them, the said Commissioners shall, if required by the Owners or Lessees thereof respectively, purchase, by Agreement or by Arbitration, or by the Assessment of a Jury, as directed by the "Lands Clauses Consolidation Act, 1845," the Estates and Interests of the Parties making any such Requisition in the Dwelling

Dwelling Houses so to be bored or dug in or under, or, at the Option of such Owners or Lessees, make Compensations for the Space or Portion of Ground thereunder required for the said Tunnel, and for the Damage done or to be done to such Dwelling Houses or to their Interests or Estates therein; and in the Case of any other Buildings not being Dwelling Houses, and of Lands not having any Building thereon, so to be bored or dug in or under, the said Commissioners shall, if required by the Owners or Lessees thereof, make Compensation (to be ascertained by the Ways and Means aforesaid or one of them) for the Space or Portion of Ground required for the said Tunnel, and for the Damage which may be done to such Buildings and Lands; but in the Case of public Streets, Roads, Ways, Paths, Courts, or Passages no Compensation shall be made for the same, nor shall any Compensation be made for boring or digging under or over any Sewers, Drains, Mains, Pipes, Gas Pipes, Water Pipes, or Aqueduct, or for diverting or altering the same for the Purposes of the said Tunnel, or for constructing the same.

Commissioners to keep Tunnel and Roads in Repair.

VI. The Commissioners of the Admiralty shall and they are hereby required from Time to Time and at all Times to keep or cause to be kept the said Tunnel and the Walls thereof in good and substantial Repair, and shall, from and after the Use of the Roadways referred to in the First Part of the First Schedule to this Act shall have been purchased by them, repair, amend, and keep up, at the Charge of Her Majesty, Her Heirs and Successors, the same Roads and Ways, and where needful fence in that Road or Way which in the said Schedule is designated by No. 2.

Power for Commissioners to purchase Lands in First Schedule to Act.

VII. It shall also be lawful for the Commissioners of the Admiralty and they are hereby authorized and empowered, if they think fit, subject to the Provisions herein and in the "Lands Clauses Consolidation Act, 1845," contained, to purchase all or any of the Lands mentioned or referred to in the First Schedule to this Act, and all Estates and Interests therein which are not vested in the said Commissioners at the Time of the passing of this Act.

After Purchase of Devonport Yard, the same to be used as One of Her Majesty's Dockyards.

VIII. That all such Parts of Her Majesty's Dockyard at *Devonport* the Fee Simple of which may be purchased under or by virtue of the Provisions of this Act shall, from and after the Completion of any such Purchase or Purchases, be always thereafter used for One or for Part of One of Her Majesty's Dockyards, and for Buildings, Erections, and other Works necessary for the same, and for no other Purpose whatsoever.

A certain Piece of Ground to be always used as a Footway.

IX. That the Piece or Parcel of Land or Ground described in the Second Schedule to this Act shall for ever hereafter be and be used as a public Highway or Footway or Part of a public Highway or Footway, and for no other Purpose, and no Building or Erection whatsoever shall ever be constructed or commenced thereon or on any Part thereof.

Errors and Omissions in Book of Reference and Schedules may be corrected by Two Justices, who shall certify the same.

Certificate to be deposited.

X. If any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands referred to in the said Book of Reference or mentioned in the Schedules to this Act annexed or either of them, the Commissioners of the Admiralty, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall be deposited with the said Clerk of the Peace, and such Certificate shall be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Book of Reference, Schedules or Schedule, shall be deemed to be corrected according to such Certificate, and the said Commissioners may take any Lands in accordance with such Certificate as if such Omission, Mis-statement, or wrong Description had not been made.

Powers for compulsory Purchase of Lands limited.

XI. The Powers of the Commissioners of the Admiralty for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Powers given to Commissioners to apply to Purc ases made as well as those to be made.

XII. The Powers and Authorities by this Act given to the Commissioners of the Admiralty relative to the Lands mentioned and comprised in the said Book of Reference and in the Schedules to this Act annexed or either of them, shall, so far as the Commissioners of the Admiralty may at any Time or Times deem expedient for effecting any of the Objects of this Act, be applicable as well to any of such Lands already purchased or taken, or agreed to be purchased or taken, as to such as shall hereafter be purchased or taken under the Provisions of this Act.

All Lands purchased or taken by Commissioners to vest in them in trust.

XIII. Subject to the Provisions of this Act, the Lands which shall be purchased, taken, or acquired by the Commissioners of the Admiralty for the Purposes of this Act or under the Provisions of this Act, or which may have been purchased or been agreed to be purchased as aforesaid, shall be vested in the said Commissioners, their Successors in Office and Assigns, in trust for Her Majesty, Her Heirs and Successors, for the Public Service, and no other Commissioners nor any Trustees nor other Persons shall after such Purchase, taking, or acquiring as aforesaid lay down or construct any Road or Way, or any Pipe for Gas, Water, or otherwise, or any Drain, Sewer, or Watercourse, in, under, through, or over the said Lands, or interfere in any Manner therewith, except in such Manner as may be previously approved of by the Commissioners of the Admiralty in Writing under the Hand of the Secretary of the Admiralty.

Commissioners may sell or let Lands.

XIV. It shall be lawful for the Commissioners of the Admiralty to sell, exchange, or in any Manner dispose of or to let or demise all or any of the Lands purchased, taken, or acquired by or vested in them under the Authority of this Act, with their respective Appurtenances (save and except the Property mentioned in the Eighth Section of this Act), which shall not at any Time or Times in the Opinion of the said Commissioners be required for the Purposes thereof, either by public Auction or private Contract; and it shall be lawful for them to convey and assign or to grant or demise the same or any Part thereof to any Person who shall be willing to purchase or take the same, and for that Purpose to make and execute all such Conveyances, Assurances, Leases, and Agreements as may be thought proper, and also to do any other Act, Matter, or Thing in relation to such Lands which shall by the said Commissioners be deemed beneficial for the Public Service in relation thereto, or for the better Management thereof, and which might be done by any other Person having the absolute Fee Simple in any such Lands.

Monies produced by Sale of Lands to be paid to Her Majesty's Paymaster General.

XV. The Monies to arise and to be produced by Sale or Exchange of any Lands which shall be sold or exchanged or conveyed under the Provisions of this Act shall be paid by the Purchaser thereof, or the Person making any such Exchange, to Her Majesty's Paymaster General for the Time being, and the Receipt of the said Paymaster General for any such Monies (such Receipt to be indorsed on every such Conveyance as aforesaid) shall effectually discharge the Purchaser or Person by whom or on whose Account the same shall be so paid.

After Payment, Purchaser to stand possessed of the Lands so purchased.

XVI. Immediately from and after the payment of such Purchase Money and the Execution of every such Conveyance as aforesaid, the Purchaser therein named shall be deemed to stand seised and possessed of the Lands which shall be so purchased by and conveyed or made over to him freed and absolutely discharged of and from all and all manner of prior Estates, Rights, Interests, Charges, Incumbrances, and Demands whatsoever which can or may be had, made, or set up in respect of such Lands by any Person whomsoever, by, from, under, or in trust for Her Majesty, Her Heirs and Successors, or on any Account whatsoever, save and except such Estates, Rights, Interests, Charges, Incumbrances, Claims, and Demands (if any) as in any such Conveyance shall be excepted.

Moon Cove not to be built upon without Consent of Admiralty.

XVII. From and after the passing of this Act, no Part of what now forms the Creek or Cove called *Moon Cove*, referred to in the Second Part of the First Schedule to this Act, shall be filled up or interfered with, nor shall the Soil thereof or of any Part thereof be built upon, without the previous Consent of the Commissioners of the Admiralty signified by Writing under the Hand of their Secretary.

All Works connected with the Gas Company to be

XVIII. And whereas in the Execution of the Works by this Act authorized, the Mains, Pipes, Syphons, Plugs, and other Works belonging to the *Devonport* Gas and Coke Company may be intersected or otherwise interfered with, and it is expedient that such Company should have

have full Control over the Execution of all Works in any way affecting the Supply by them of Gas, so as effectually to provide against the Supply thereof being impeded: Therefore all Works, Matters, or Things which, under the Provisions of "The Lands Clauses Consolidation Act, 1845," or this Act, the Commissioners of the Admiralty may be empowered or required to do or execute with reference to the Mains, Pipes, Syphons, Plugs, or other Works of such Company respectively, shall be done and executed by and at the Cost of Her Majesty, Her Heirs and Successors, but to the Satisfaction and under the Direction of and in such Manner as shall be required by the Engineer for the Time being of the said Gas Company. executed to Satisfaction their Engineer.

XIX. If any Interruption whatsoever in the Supply of Gas by the said Company shall be in any way occasioned by the Agents, Workmen, Servants, or any other Person in the Service of Her Majesty, or any or either of them, Compensation shall be made by Her Majesty, Her Heirs and Successors, to the said Company, for the Loss sustained, at the Rate of Ten Shillings for every Hour during which such Interruption shall continue. To prevent Interruption of the Supply of Gas.

XX. Provided also, That the Expense of all Repairs or Renewals of the said Pipes or Mains, or any Works in connexion therewith, which may at any Time hereafter be rendered necessary by the Acts or Defaults of any Contractors, Agents, Workmen, Servants, or any other Person in the Service of Her Majesty, shall be borne and paid by Her Majesty, Her Heirs and Successors. As to Repairs of Pipes, &c. in certain Cases.

XXI. If, after the Construction of the said Tunnel across, along, or under any Street or public Thoroughfare in which the said Gas and Coke Company are authorized to lay down Mains or Pipes, such Company shall require to lay down Mains or Pipes across, under, over, or along the said Tunnel, it shall be lawful for such Company, having first given at least Ten Days Notice to the Commissioners of the Admiralty, by leaving the same with the Superintendent of Her Majesty's Dockyard at *Devonport*, (except in Cases of Emergency, when as long a Notice as practicable shall be given to the said Superintendent before the Ground is opened,) to open the Ground over or along the Course of the said Tunnel, for the Purpose of laying down, repairing, cleansing, or inspecting such Mains or Pipes, and to lay down, repair, cleanse, and inspect such Mains or Pipes as often as may be requisite; provided, nevertheless, that such Works shall be executed only according to Plans which shall be previously submitted to the Commissioners of the Admiralty by the *Devonport* Gas and Coke Company, and approved of by the Commissioners of the Admiralty; and the Security of the said Tunnel and its efficient working shall not be interfered with by any such Works. Powers for the Gas Company after Execution of Works.

XXII. Except as by this Act expressly enacted, this Act or anything herein contained shall not take away, lessen, or prejudicially affect any of the Powers, Authorities, or Immunities granted or conferred by the *Devonport* Gas and Coke Act, 1853. Not to effect the Powers of the Coke Company.

The FIRST SCHEDULE to which the foregoing Act refers.

First Part thereof.

All such Parts of Her Majesty's Dockyard at Devonport in the County of Devon, the Fee Simple of which may not at the Time of the passing of this Act be vested in Her Majesty, Her Heirs and Successors, or in the Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, in trust for Her Majesty, Her Heirs and Successors, for the Public Service, and also the free Use in perpetuity of all the Roads, Roadways, Ways, and Passages following; that is to say,

No. 1. A certain Roadway or Passage for all Foot Passengers, and Horses, Carts, and Carriages whatsoever, adjoining the outer Wall of the said Dockyard on the North, South, and East Sides thereof, and is known by the Names following; that is to say, North Corner, Holman's Buildings, Queen Street, Dock-wall Street, James Street, and Mutton Cove, and extends in Length about Three thousand eight hundred Feet, and in Width from the said Dockyard Wall Thirty Feet.

No. 2. A certain Roadway or Passage for all Foot Passengers, and Horses, Carts, and Carriages whatsoever, in, over, through, or upon all that Roadway or Passage of Thirty Feet broad

broad or thereabouts in every Part thereof, extending in an Easterly Direction from a Gate or Place at the West End of Fore Street, Devonport, in the Parish of Stoke Damerel in the said County of Devon, called or known by the Name of the Dockyard Gate, unto or near a Gate or Place now or heretofore called Parsons Gate, which said Roadway or Passage is Seven hundred and two Yards in Length or thereabouts, and forms Part of Fore Street aforesaid, and of the High Road from Devonport aforesaid to the Borough of Tavistock in the said County of Devon, and which said Roadway contains Seven thousand and twenty Square Yards Superficial Measure or thereabouts, and is bounded on the North and South partly by other Parts of Fore Street aforesaid, and partly by Lands, Buildings, Fortifications, and Works belonging to the Principal Officers of Her Majesty's Ordnance in trust for Her Majesty, on the West partly by the said Dockyard Gate and partly by a Portion of the Wall of Her Majesty's Dockyard at Devonport aforesaid, and on the East by the Turnpike Road leading to Tavistock aforesaid.

The SECOND Part of the said First Schedule.

All that Piece or Parcel of Ground situate, lying, and being in Morice Town in the Borough of Devonport in the Parish of Stoke Damerel in the County of Devon, including the following, namely:

Firstly. The whole of a Yard known by the Name of Bird's Timber Yard, containing Twenty-two thousand five hundred and ninety-four Feet and Seven Inches or thereabouts Superficial Measure.

Secondly. The Northern Portion of a Yard known as Colwell's Yard, situate on the Western Side of the said last-named Yard, such Portion of Colwell's Yard being in Length on the Eastern Side thereof Seventy-four Feet or thereabouts, and on the Western Side thereof Twenty-three Feet or thereabouts, which said Portion containing by Admeasurement Two thousand eight hundred and eleven Feet and Eleven Inches or thereabouts Superficial Measure.

Thirdly. The Northern Portion of a Yard known as Cornish's Yard, situate on the Western Side of Colwell's Yard aforesaid, which said Portion of Cornish's Yard is in Length on the Eastern Side thereof Twenty-three Feet or thereabouts, and terminates at a Point at the North-western Corner of Cornish's Yard aforesaid, which said last-named Portion contains by Admeasurement One thousand and fifty-nine Superficial Feet or thereabouts.

Fourthly. A Slip or Portion of Ground immediately adjoining the first-named Yard on its Eastern Side, now occupied as a Plantation and Roadway, and containing by Admeasurement Five hundred and ninety-seven Feet Eight Inches or thereabouts Superficial Measure, the whole of which said Piece or Parcel of Ground (comprising the Premises firstly, secondly, thirdly, and fourthly in this Second Part of the said First Schedule described) is bounded on the North by the Keyham Steamyard and a Portion of a Creek or Cove known as Moon Cove, on the South by the Path or Footway of a Street or Road leading from the Northern End of William Street to the Northern End of Tamar Street, both in Morice Town aforesaid, and Portions of the said Colwell's Yard and Cornish's Yard, on the East by a Piece of Ground forming a Portion of the Western Footpath of Morice Place in Morice Town aforesaid, and on the West by a Portion of Colwell's Yard aforesaid and Moon Cove aforesaid, which said Piece or Parcel of Ground (comprising the Premises firstly, secondly, thirdly, and fourthly in this Second Part of the said First Schedule described,) contains in the whole Twenty-seven thousand and sixty-three Feet and Two Inches or thereabouts Superficial Measure.

The SECOND SCHEDULE to which the foregoing Act refers.

All that Piece or Parcel of Ground situate and being in Morice Town in the Borough of Devonport in the Parish of Stoke Damerel in the County of Devon, forming or which is intended to form a Portion of the Western Footpath of Morice Place in Morice Town aforesaid

said, which said Portion of Footpath was lately dedicated or intended to be dedicated by the Trustees of the Lord of the Manor of Stoke Damerel to the Use of the Public, and containing by Admeasurement Eight hundred and ninety-six Square Feet and Four Inches or thereabouts Superficial Measure, which said Piece or Parcel of Ground is bounded on the North by the Keyham Steamyard, on the South by the Northern Footpath of a Road or Street leading from the Northern End of William Street to the Northern End of Tamar Street in Morice Town aforesaid, on the East by the Western Footpath of Morice Place in Morice Town aforesaid, and on the West by a Slip of Ground occupied as a Plantation and Roadway.

CAP. XVI.

An Act to amend the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, and the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four. [2d *June* 1854.]

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:

Right of Appeal given by sec. 14. of 13 & 14 Vict. c. 61. to extend to Cases in which Jurisdiction is given by s. 17.

I. That the Right and Mode of Appeal given by the Fourteenth Section of the Act of the Thirteenth and Fourteenth *Victoria*, Chapter Sixty-one, as amended by the Second and Third Sections of the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four, shall extend to all Cases decided after the passing of this Act in which Jurisdiction is given by the Seventeenth Section of the said first-mentioned Act in consequence of the Agreement of Parties; but it shall be lawful, when both Parties shall desire that the Decision of the County Court Judge shall be final, to exclude such Right of Appeal, by expressing such their Desire in the Memorandum of Agreement directed by the said Seventeenth Section to be filed with the Clerk of the Court.

Petitions for Protection from Process to be within the Provisions of the 8th Section of 15 & 16 Vict. c. 54.

II. The Provisions of the Eighteenth Section of the Act of the Fifteenth and Sixteenth *Victoria*, Chapter Fifty-four, shall extend to all Cases of Petitions for Protection from Process made to a County Court under the Provisions of the Acts of the Fifth and Sixth *Victoria*, Chapter One hundred and sixteen, of the Seventh and Eighth *Victoria*, Chapter Ninety-six, and of the Tenth and Eleventh *Victoria*, Chapter One hundred and two, as fully as if the filing of every such Petition had been required to be registered by the said Eighteenth Section of the first-recited Act.

CAP. XVII.

An Act to make further Provision for defining the Boundaries of Counties, Baronies, Half Baronies, Parishes, Townlands, and other Divisions and Denominations of Land in *Ireland* for public Purposes. [2d *June* 1854.]

'WHEREAS by an Act passed in a Session of Parliament held in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, Chapter Ninety-nine, it was amongst other Matters enacted, that from and after the passing of the said Act it should and might be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time or Times and from Time to Time, as to him or them should or might seem fitting and expedient, to nominate and appoint any Person or Persons, as such Lord Lieutenant or other Chief Governor or Governors should think necessary and expedient, to ascertain and mark out the reputed Boundaries of all and every or any Barony, Half Barony, Townland, Parish, or other Division or Denomination of Land, by what Name soever any such Division or Denomination should or might be known or called, in any and every Part of *Ireland*, and to appoint any and every such Person or Persons to be Surveyors or a Surveyor for the carrying into effect the Purposes of said Act: And whereas in pursuance of the said Act such Boundaries

'were