fifty-three till the Term of *Martinmas* One thousand eight hundred and fifty-five, both inclusive, as if such Average had not expired at the Term of *Martinmas* One thousand eight hundred and fifty-three, but had endured to the Term of *Martinmas* One thousand eight hundred and fifty-five, and such Schoolmasters shall have all such Rights and Remedies in respect of such Salaries as they had prior to the said Term of *Martinmas* One thousand eight hundred and fifty-three.

Recited Act continued.

II. So far as not inconsistent with this Act, the said recited Act shall continue in full Force and Effect: Provided always, that the Rights conferred on such Schoolmasters by this Act shall not be diminished or affected by any Meetings or Resolutions of Heritors held or passed since the said Term of *Martinmas* One thousand eight hundred and fifty-three.

CAP. XCIX.

An Act to provide for the Establishment of a National Gallery of Paintings, Sculpture, and the Fine Arts, for the Care of a Public Library, and the Erection of a Public Museum, in *Dublin*. [10th *August* 1854.]

'WHEREAS it is expedient to establish a National Gallery of Paintings, Sculpture, and the Fine Arts in *Ireland:* And whereas it is also expedient to render Archbishop *Marsh*'s Library more conveniently accessible than it now is to the Inhabitants of *Dublin:* And whereas at the Close of the Great Industrial Exhibition of 1853 in *Dublin* a Subscription was entered into by several Individuals, both in *Great Britain* and *Ireland,* for the Purpose of commemorating the eminent public Services of *William Dargan* Esquire in founding and sustaining that Exhibition: And whereas the Royal *Dublin* Society for the Promotion of Husbandry and other useful Arts in *Ireland* is desirous of erecting a Public Museum for the Purposes of that Society:' 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:

Building Trustees appointed and empowered to receive Subscriptions and Donations.

I. That *Francis William* Earl of *Charlemont, Richard Griffith* Esquire, *George Roe* Esquire, *Thomas Aiskew Larcom* Esquire, and *Thomas Hutton* Esquire, together with such Person and Persons as the Lord Lieutenant by Warrant under His Hand may from Time to Time appoint, shall be and they are hereby constituted Trustees of the Building next herein-after mentioned; and that it shall be lawful for the said Trustees and all other the Trustees of the said Building for the Time being (herein-after called the Building Trustees) to receive such Sums of Money as may be subscribed, given, or contributed, or may from any Source become available, for the Purpose of erecting a suitable Building in *Dublin* to be devoted in part to the fit Accommodation of a National Gallery of Paintings, Sculpture, and the Fine Arts, and the Remainder to the Reception of a Public Library.

Trustees empowered to lay out Monies in the Purchase of a Site.

II. It shall be lawful for the said Trustees or other the Trustees for the Time being of the said Building to take and hold, by Purchase, Lease, or otherwise, Ground in *Dublin* proper for the Site of the said Building, upon such Terms as they may deem advisable, and to lay out the Monies received by them in the Erection of the said Building, but with such Approbation nevertheless and subject to such Agreement as herein-after mentioned.

Persons enabled to make Leases for the Purposes of this Act.

III. All and every Persons and Person seised of or entitled in possession to Lands in *Ireland,* or to the Receipt of the Rents and Profits thereof, for an Estate of Fee-simple or Fee-farm, or any other perpetual Estate, subject to any Mortgage or Incumbrance, or for an Estate in Tail or *quasi* Entail of an Estate in Inheritance or perpetual Interest, or for the Term of his, her, or their own Life or Lives (not being Jointresses or Jointress), or for the Life or Lives of any other Person or Persons, or for so many Years as he, she, or they may live, or for an unexpired Term of Years, not being less than Sixty Years in its Inception, and whether absolute or determinable on a Life created out of an Estate of Inheritance or perpetual Interest by way of Settlement, and not in consideration of or subject

subject to any Rent reserved thereby, and whether or not such Estate or Interest shall be subject to any Mortgage or other Incumbrance (provided the Incumbrancer shall not be in possession), shall have Power by virtue of this Act to make a Lease or Leases of all or any Part of such Lands to the said Building Trustees and to the said Royal *Dublin* Society respectively for any Term not exceeding Nine hundred and ninety-nine Years, or in Fee-farm for the Purposes of the said Building and of this Act: Provided always, that every such Lease made under this Act shall be a Lease in possession, and not in reversion or by way of future Interest, and that the Rent reserved thereby shall be the best improved yearly Rent that at the Time of making such Lease can be obtained or reasonably expected from a solvent Tenant, without Fine or Consideration of any Kind: Provided always, that all Rents reserved and Covenants and Conditions contained in any Lease made under this Act shall enure to the Persons who for the Time being would, if such Lease had not been made, be entitled to the actual Possession of the Lands comprised in the said Lease, or to the Receipt of the Rents and Profits thereof, according to their Estates and Interests therein; and that every Lease made under this Act, and pursuant to the Provisions thereof, shall be valid to bind the Lessor or Lessors, his, her, or their Heirs, Executors, Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor or Lessors derives or derive, and notwithstanding any Entail, Law, or Custom to the contrary, and whether there be or be not any leasing Power annexed or belonging to the Estate of such Lessor or Lessors, but so as not to prejudice or interfere with any other Power of leasing to him, her, or them belonging.

Governors or Guardians of Marsh's Library empowered to remove the Library to the new Building.

IV. It shall be lawful for the Governors and Guardians of Archbishop *Marsh*'s Library (anything in an Act of the Parliament of *Ireland*, intituled *An Act for settling and preserving a Public Library for ever in the House for that Purpose built by his Grace* Narcissus *now Lord Archbishop of* Armagh, *on Part of the Ground belonging to the Archbishop of* Dublin's *Palace near the City of* Dublin, passed in the Sixth Year of the Reign of Queen *Anne*, or otherwise, to the contrary notwithstanding,) to cause the said Library to be removed to the said Building so to be erected, as soon as the same shall be completed and in a Condition to receive the said Library: Provided always, that the said Governors and Guardians shall approve of the Plan and Arrangements of that Portion of the said Building to be appropriated to the Reception of a Public Library.

Governors, &c. of Marsh's Library empowered to dispose of their present Premises after such Removal.

V. It shall be lawful for the Governors and Guardians of the said Library, at any Time after the said Library shall have been removed to and deposited within the said Building so to be erected as aforesaid, from Time to Time to alien, sell, and dispose of the several Buildings, Grounds, Gardens, Courts, and Premises now vested in them by virtue of the said last-mentioned Act of Parliament, or otherwise, or any of them, or any Part thereof respectively, anything in the said Act or otherwise to the contrary notwithstanding: Provided always, that the Proceeds of all and every such Alienations, Sales, and Dispositions shall be applied by the said Governors and Guardians to make such Compensation as they shall think fit to any Officer or Officers for any Loss which such Officer or Officers shall have incurred by reason of the Removal of the said Library as aforesaid, and to the Objects of their Trust, and not otherwise.

Governors, &c. of Marsh's Library to retain their exclusive Control over the Library.

VI. The Governors and Guardians of Archbishop *Marsh*'s Library shall continue to have the same exclusive Control over the said Library which they at present possess, and shall have the entire and exclusive Possession, Occupation, and Control for the Purposes of their Trust of those Portions of the said Building so to be erected as herein-before mentioned which shall be upon the Completion of the said Building set apart by the said Building Trustees for the Accommodation of the said last-mentioned Library.

Governors and Guardians of the National Gallery for Ireland incorporated.

VII. The President and Senior Vice-President of the Royal *Dublin* Society for the Time being, the President of the Royal *Hibernian* Academy for the Time being, the President of the Royal *Irish* Academy for the Time being, the Chairman of the Board of Public Works in *Ireland* for the Time being, *George Petrie* Esquire, *George Francis Mulvany* Esquire, *William Brabazon* Earl of *Meath*, *Thomas Aishew Larcom* Esquire, *William Dargan* Esquire, *Francis*

Francis William Earl of *Charlemont*, the Right Honourable *Maziere Brady*, Lord Chancellor of *Ireland*, the Lord *Talbot de Malahide*, Sir *George Frederick John Hodson* Baronet, *Robert Calwell* Esquire, *John Calvert Stronge* Esquire, and *John Edward Pigot* Esquire, and their Successors, appointed as herein-after directed, and subject to the Provisions herein-after contained, shall be and they are hereby constituted a Body Corporate by the Name of "The Governors and Guardians of the National Gallery of *Ireland*," and shall have a CommonSeal, and by the said Name shall have perpetual Succession, and shall and may take, purchase, and hold Lands and Real Estate and other Property in trust for the Purposes of a National Gallery of Paintings, Sculpture, and the Fine Arts, subject to the Provisions of this Act; and all the Powers of the said Corporation may be exercised so long and so often as there shall exist Five Members thereof.

Governors, &c. empowered to receive Donations and Subscriptions, &c.

VIII. It shall be lawful for the said last-mentioned Body Corporate to receive Devises, Bequests, Donations, and Subscriptions (annual or otherwise) of Land, Buildings, Money, and Works of Art, and to hold the same, and to lay out such Sums of Money as they shall so receive for the Purposes of the National Gallery of *Ireland*, in the Improvement and Enlargement of the Collection of Works of Art presented to or purchased for the said Gallery, or deposited therein, and the said Body Corporate shall have the entire and exclusive Possession, Occupation, and Control, for the Purposes of their Trusts herein mentioned, of those Portions of the said Building so to be erected as herein-before mentioned which shall be, upon the Completion of the said Building, set apart by the said Building Trustees for the Accommodation of the National Gallery of *Ireland*, and of all such other Buildings, Enclosures, and Appurtenances as shall or may from Time to Time be required and obtained for the Purposes of the said National Gallery or any Part thereof.

Building to be erected according to Plans approved, &c.

IX. The said Building so to be erected as aforesaid for the Purposes herein-before mentioned shall be constructed according to such Plans and Specifications as shall have been approved of and agreed upon by and between the said Building Trustees, the said Governors and Guardians of the National Gallery of *Ireland*, and the said Governors and Guardians of Archbishop *Marsh*'s Library.

After the Completion of the Building, the Governors, &c. of the National Gallery, and the Governors, &c. of Marsh's Library to be a Body Corporate, as Trustees of the Building, for ever.

X. The Persons who for the Time being shall compose the said respective Bodies Corporate, that is to say, the Governors and Guardians of the National Gallery of *Ireland*, and the Governors and Guardians of Archbishop *Marsh*'s Library, shall be One Body Corporate, under the Name of "The Joint Trustees of the National Gallery of *Ireland* and of *Marsh*'s Library," and so soon as the said Building so to be erected as aforesaid shall have been completed, the said Building Trustees shall declare it to be so by an Instrument under the Hands of them or of any Three of them, and thereupon the said Building, together with the Ground whereon the same shall have been erected, shall become and be vested in the said last-mentioned Body Corporate for ever, subject nevertheless to the exclusive Possession, Occupation, and Control of those Portions of the said Building respectively to be occupied by the said Governors and Guardians of the National Gallery of *Ireland*, and the said Governors and Guardians of Archbishop *Marsh*'s Library, for the Purposes of their respective Trusts as aforesaid.

Term of Office of the Governors, &c. of the National Gallery limited to Five Years.

XI. Each of the Governors and Guardians of the National Gallery of *Ireland*, save and except only the first Three of them herein-before named, shall continue to hold Office, subject to the Provisions herein contained, for the Term of Five Years at a Time, from the Time of his becoming such Governor and Guardian, and not longer, but at the Expiration of such Five Years he shall be eligible to be re-appointed or re-elected as such Governor and Guardian.

Mode of filling Vacancies in the Number of the Governors of the National Gallery.

XII. The President and Senior Vice-President of the Royal *Dublin* Society, the President of the Royal *Hibernian* Academy, the President of the Royal *Irish* Academy, and the Chairman of the Board of Public Works in *Ireland*, that is to say, the Persons for the Time being holding those Offices respectively, shall be *ex-officio* Members of the said Body Corporate,

Corporate, and Governors and Guardians of the National Gallery of *Ireland*, but shall cease to be such Governors and Guardians respectively upon ceasing to hold the aforesaid Offices respectively: Provided always, that whensoever and so often as the said *George Petrie* Esquire and *George Francis Mulvany* Esquire, or either of them, or their or either of their Successors nominated or appointed as next herein-after mentioned, shall cease to be such Governor and Guardian or Governors and Guardians as aforesaid, then and in every such Case it shall be lawful for the Royal *Hibernian* Academy to nominate and appoint such Artist or Artists resident in *Ireland* as they shall think proper to be a Governor and Guardian or Governors and Guardians in the Room of the Person or Persons so ceasing to be such Governor and Guardian or Governors and Guardians as aforesaid, and every such resident Artist so nominated or appointed by the Royal *Hibernian* Academy shall thereupon forthwith become and be one of the Governors and Guardians of the National Gallery of *Ireland*, to all Intents and Purposes as fully as if he had been so named herein in the Place of the said *George Petrie* Esquire or *George Francis Mulvany* Esquire: And be it enacted, that whensoever and so often as the said *William Brabazon* Earl of *Meath*, *Thomas Aiskew Larcom* Esquire, and *William Dargan* Esquire, or any or either of them, or their or any or either of their Successors appointed as next herein-after mentioned, shall cease to be such Governor and Guardian or Governors and Guardians as aforesaid, then and in every such Case it shall be lawful for the Lord Lieutenant, by Warrant under his Hand, to appoint a Person or Persons to fill such Vacancy or Vacancies, and every such Person or Persons so appointed to fill such Vacancy or Vacancies shall thereupon forthwith become and be One of the Governors and Guardians of the National Gallery of *Ireland*, to all Intents and Purposes as fully as if he had been so named herein in the Place of the said *William Brabazon* Earl of *Meath*, or *Thomas Aiskew Larcom* Esquire, or *William Dargan* Esquire: Provided also, that whensoever and so often as any One or more of the remaining Seven Governors and Guardians herein-before named, or their or any or either of their Successors nominated, elected, or appointed as next herein-after mentioned, shall cease to be such Governor and Guardian or Governors and Guardians as aforesaid, then and in every such Case, so long and so often as there shall be at least One hundred Persons, each of whom at the Time of the Occurrence of such Vacancy or Vacancies shall have made a Donation to the Governors and Guardians of the National Gallery of *Ireland*, for the Purposes of their Trust, of not less than Two Guineas in Money, or of a Work or Works of Art to the Value in the whole of Twenty Pounds (such Value to be declared by the said Governors and Guardians by an Entry or Entries in their Books), or shall then be an annual Subscriber of One Guinea or upwards to the Funds of the said last-mentioned Body Corporate, and shall have paid his current Subscription to the said Body Corporate within Twelve Calendar Months then last past, it shall be lawful for such Donors and Subscribers to elect and nominate Persons or a Person to fill such Vacancies or Vacancy; and when and so often as on the Occasion of the happening of such Vacancy or Vacancies there be less than One hundred such Donors and Subscribers, then and in every such Case it shall be lawful for the Lord Lieutenant by Warrant under his Hand to appoint a Person or Persons to fill such Vacancy or Vacancies, and every such Person so nominated, elected, or appointed to fill such Vacancy or Vacancies shall thereupon forthwith become and be One of the Governors and Guardians of the National Gallery of *Ireland*, to all Intents and Purposes as fully as if he had been so named therein in the Place of the said *Francis William* Earl of *Charlemont*, the Right Honourable *Maziere Brady*, Lord Chancellor of *Ireland*, the Lord *Talbot de Malahide*, Sir *George Frederick John Hodson* Baronet, *Robert Calwell* Esquire, *John Calvert Stronge* Esquire, or *John Edward Pigot* Esquire.

Power to Governors, &c. to make Bye-laws and to appoint Officers.

XIII. It shall be lawful for the Governors and Guardians of the National Gallery of *Ireland*, from Time to Time, to make, alter, vary, and repeal Byelaws for the Management of the said Gallery, for securing the Attendance of Members of the Body Corporate, and for all other Purposes necessary for the Execution of their Trusts; and all Officers and Servants, salaried or otherwise, employed in the Care or Management of the Trust Property, shall be appointed by the said Governors and Guardians, subject to such Regulations and Conditions as they shall think proper.

Power to Governors, &c. of Marsh's Library to admit any other Collection of Books into the same Building.

XIV. It shall be lawful for the Governors and Guardians of Archbishop *Marsh*'s Library to admit into that Portion of the Building to be erected as aforesaid which shall be appropriated to the Reception of a Public Library any Books which any public Body or private Individual or Individuals may desire either to present or give to the said last-mentioned Governors and Guardians, or may desire to deposit there for the Use of the Public, upon such Terms nevertheless as to the Arrangement of such Books, the Mode of Access thereto, the Accommodation of Readers, and the Management and Control of said Books, as may be agreed upon between the said last-mentioned Governors and Guardians and such public Body or private Individual or Individuals so giving or depositing such Books as aforesaid; and all such Books as shall be so given, presented, or deposited shall, until Parliament shall otherwise provide, be and remain under the Care and Management and in the Possession of the said last-mentioned Governors and Guardians and such other Person or Persons as shall be agreed on between them and the Body or Bodies, Individual or Individuals, giving, presenting or depositing such Books, or in such other Care, Management, and Possession as shall be agreed on between the said last-mentioned Guardians and such Body or Bodies, Individual or Individuals, so giving, presenting, or depositing as aforesaid.

Interpretation of Terms.

XV. In the Construction of this Act the Word "Lands" shall include Messuages, Tenements, and Hereditaments of every Tenure, whether corporeal or incorporeal; the Expression "perpetual Interest" shall comprehend, in addition to any greater Interest, any Lease or Grant for One or more than One Life, with or without a Term of Years, or for Years, whether absolute or determinable on the dropping of One or more than One Life, with a Covenant or Agreement by a Party competent thereto, in any of such Cases, whether contained in the Instrument by which such Lease or Contract is made, or in any separate Instrument, for the perpetual Renewal of such Lease or Grant; the Word "entitled" shall mean entitled either legally or equitably; the Word "Settlement" shall include every Assurance or connected Set or Series of Assurances, whether by Deed, Will, Private Act of Parliament, or otherwise, by which Lands are or shall be limited in a Course of Settlement, or agreed so to be; the Word "Building" shall include the Land upon which such Building shall be built, together with all Enclosures, Yards, Curtilages, and Appurtenances held therewith or appertaining thereto; the Word "Lord Lieutenant" shall be held to mean the Lord Lieutenant of *Ireland* or other Chief Governor or Governors of *Ireland* for the Time being.

Land in possession of Royal Dublin Society for the Promotion of Husbandry may be appropriated for a Building for the Purposes of a Museum.

XVI. 'Whereas it may be found expedient that certain Part or Parts of Lands and 'Premises now in the Possession or Occupation of the Royal *Dublin* Society for the Promotion 'of Husbandry and other useful Arts, in *Ireland*, should be appropriated for a Building or 'Buildings for the Purposes of a Museum, and that other Part or Parts of the said Lands 'and Premises should be appropriated for a Building or Buildings for the Purposes of the 'said Library and National Gallery:' Be it enacted, That, upon the Surrender by the said Society (which Surrender the said Society is hereby empowered to make) of such Estate, Right, Title, or Interest as they may at present have in any such Lands or Premises, it shall be lawful for all and every Persons and Person seised of or entitled in possession to the said Lands and Premises so now in the Possession or Occupation of the said Society as aforesaid, or to the Receipt of the Rents and Profits thereof, for an Estate of Fee-simple or Fee-farm, or any other perpetual Estate, subject to any Mortgage or Incumbrance, or for an Estate in Tail or *quasi* Entail, in an Estate of Inheritance or perpetual Interest, or for the Term of his, her, or their own Life or Lives (not being Jointresses or Jointress), or for the Life or Lives of any other Person or Persons, or for so many Years as he, she, or they may lived or for an unexpired Term of Years, not being less than Sixty Years in its Inception, and whether absolute or determinable on a Life created out of an Estate of Inheritance or perpetual Interest by way of Settlement and not in consideration of or subject to any Rent reserved thereby (and whether or not such Estate or Interest shall be subject to any Mortgage or other Incumbrance), by virtue of this Act, to make a Lease or Leases of all or any Part or Parts of the same Lands and Premises to the said Society for any Term not exceeding Nine hundred and ninety-nine Years, or in Fee-farm at the best improved yearly Rent that may

may reasonably be obtained for the same from a solvent Tenant, without any Fine or Consideration; provided that such Rents, and all Clauses and Conditions to be inserted in such Leases, shall secure to the Person or Persons who for the Time being would, if such Leases had not been made, be entitled to the actual Possession of the Lands and Premises therein to be comprised, or to the Receipt of the Rents and Profits thereof, according to their Respective Estates and Interests therein, and that such respective Leases as last aforesaid shall be valid and effectual to bind the Lessor and Lessors, his Heir, or their Heirs, Executors, Administrators, Assigns, and Successors in Estate, and all Persons whomsoever deriving under the same Title or Settlement as that under which the Lessor or Lessors derives or derive, and notwithstanding any Settlement, Act of Parliament, Entail, Law, or Custom to the contrary, and whether there be or be not any leasing Power annexed or belonging to the Estate of such Lessor or Lessors, but so as not to prejudice or interfere with any other Power of leasing to him, her, or them belonging.

Board of Trade and Navigation to divide Lands between the said Building Trustees and the Royal Dublin Society.

XVII. When and so soon as the said Royal *Dublin* Society shall have obtained such Lease or Leases, it shall be lawful for such Society to divide the Lands and Premises which shall be comprised therein in such Proportions, and under such Conditions and Restrictions, as to the Board of Trade and Navigation shall seem meet, between the said Building Trustees and the said Royal *Dublin* Society, and to apportion the Rents to be payable respectively on the said respective divided Portions in such Manner as may be, in the Opinion of such Board, conformable to Justice, and to make and execute such Leases, Conveyances, and other Assurances for the Purposes last aforesaid, as such Board shall think fit.

Act to extend only to Ireland.

XVIII. This Act shall only extend to *Ireland*.

CAP. C.

An Act to make further Provision for the more speedy and efficient Despatch of Business in the High Court of Chancery. [10th *August*, 1854.]

'WHEREAS the Enlargement in manner herein-after mentioned of the Powers of the 'Masters in Ordinary of the High Court of Chancery during their Continuance in 'Office, and the Appointment of additional temporary Clerks in their Offices, would enable 'them to wind up the more expeditiously the Causes, Matters, and Things from Time to 'Time depending before them: And whereas better Provision is required for the examining and settling of the Accounts of Receivers and others in the said Court:' 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:

Master may inquire respecting Abatement, &c.

I. Upon a Suit in which any Proceeding may from Time to Time be depending before a Master in Ordinary of the High Court of Chancery becoming abated by Death, Marriage, or otherwise, or becoming defective by reason of some Change or Transmission of Interest or Liability, it shall be lawful for the Master, notwithstanding that the Suit has become abated or defective, to summon as he shall deem fit all or any of the Parties to the Suit or Proceeding, or their or any of their Solicitors, and to require and obtain from them or any of them such Information as may to him seem necessary or proper respecting the Abatement of the Suit, or respecting the same having become defective and the Change or Transmission of Interest or Liability, and respecting the Person or Persons by and against whom the Suit and Proceedings ought to be revived, or the Decree or Order carried on and prosecuted; for which Purposes the Master shall be at liberty to proceed in the Absence of any of the Parties or Solicitors neglecting or refusing to attend his Summons.

Master may certify as to the Abatement, &c.

II. In case the Master shall, by the Means aforesaid or otherwise, obtain sufficient Information for his Guidance in this Behalf, he shall be at liberty to certify the Abatement of