Edinburgh before the same is begun to be erected: Provided also, that Compensation shall be made for any Damage that may be occasioned to the Occupier of the said Area; and in case of any Difference as to the Amount thereof, the same shall be ascertained and fixed by the Sheriff of the County of *Edinburgh*, whose Determination shall be final, and not subject to Review.

Monument, when completed, vested in Trustees.

IV. And be it enacted, That as soon as the said Buildings shall be declared by the Subscribers to be completed, which shall be done by Intimation in Writing by the Clerk or Secretary of the said Subscribers, or other Person duly authorized by them, to the Lord Provost, Magistrates, and Council of the City of *Edinburgh*, the said Buildings, and the Area whereon the same are erected, shall be and the same are hereby, in virtue of this Act, and without any further Conveyance, vested in the following Persons; *videlicet*, the said Lord Provost, the Treasurer of the City of *Edinburgh*, the Dean of Guild of *Edinburgh*, the Lord Justice General, the Lord Clerk Register, or, in his Absence, the Senior Clerk of Session, and the Dean of the Faculty of Advocates, all for the Time being, together with the nearest surviving Male Relation for the Time being of the said Sir *Walter Scott*, as Trustees for the Care and Preservation of the said Monument.

CAP. XVI.

An Act to enable the Commissioners of Wide Streets to sell, and Her Majesty to purchase, certain Hereditaments in the City of *Dublin* on the North Bank of the River *Anna Liffey*. [18th *May* 1841.]

'WHEREAS by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Management and Improvement of His Majesty's Woods, Forests, Parks, and Chases; of the Land Revenue of the Crown within the Survey of the Exchequer in* England, *and of the Land Revenue of the Crown in* Ireland; *and for extending certain Provisions relating to the same to the Isles of* Man *and* Alderney, it was enacted, that it should be lawful for the Commissioners for the Time being of His Majesty's Woods, Forests, and Land Revenues from Time to Time to contract for and purchase, for and on behalf of His Majesty, His Heirs or Successors, any Manors, Lordships, Messuages, Lands, Tenements, or Hereditaments in Fee Simple, which should in their Judgment be desirable to be purchased for and on behalf of His Majesty, His Heirs or Successors; and all such Manors, Lordships, Messuages, Lands, Tenements, and Hereditaments so purchased should be conveyed to His Majesty, His Heirs and Successors; and all Manors, Lordships, Messuages, Lands, Tenements, and Hereditaments which

10 G. 4. c. 50.

'should be so purchased should, on the Completion of the 'respective Purchases thereof, become Part of the Possessions 'and Land Revenues of His Majesty, His Heirs and Successors, in right of the Crown, and subject to the same Powers 'and Authorities in every respect, including the Powers and 'Provisions in the said Act contained, as the other Possessions 'and Land Revenues of the Crown to which the now-reciting 'Act related: And whereas by an Act passed in the Second 'Year of the Reign of His late Majesty King *William* the
2 & 3 W. 4. c. 1. 'Fourth, intituled *An Act for uniting the Office of the Surveyor 'General of His Majesty's Works and Public Buildings with the 'Office of the Commissioners of His Majesty's Woods, Forests, 'and Land Revenues, and for other Purposes relating to the Land 'Revenues*, it was enacted, that the Persons to be appointed as 'therein mentioned, and their Successors, should be called '"The Commissioners of His Majesty's Woods, Forests, Land 'Revenues, Works, and Buildings;" and that all Acts of Parliament in which the Commissioners of His Majesty's Woods, 'Forests, and Land Revenues, or the Surveyor General of 'His Majesty's Works and Public Buildings, were named or 'mentioned, should apply to the Commissioners for the 'Time being of His Majesty's Woods, Forests, Land Revenues, 'Works, and Buildings, so to be appointed as therein mentioned, as if such last-mentioned Commissioners had been 'originally named in such Acts of Parliament instead of the 'Commissioners of His Majesty's Woods, Forests, and Land 'Revenues, and the Surveyor General of His Majesty's Works 'and Public Buildings: And whereas by an Act passed in 'the Eleventh Year of the Reign of His Majesty King *George*
11 G. 4. & 1 W. 4. c. cxviii. 'the Fourth, intituled *An Act to enable the Commissioners of 'Wide Streets to widen and improve certain Ways, Streets, and 'Passages in and about the City and County of* Dublin; *and 'to amend and extend the Provisions of Two Acts passed in the 'Forty-seventh and Fifty-seventh Years of the Reign of His late 'Majesty, for improving and rendering more commodious such 'Parts of the County and County of the City of* Dublin *as are 'situate on the South Side of the River* Anna Liffey *and West of 'His Majesty's Castle of* Dublin, after reciting, amongst other 'things, certain Acts of Parliament, whereby certain Commissioners therein named were authorized to improve and render 'more commodious certain Parts of the County and City of '*Dublin*, and for that Purpose to purchase certain Lands, 'Buildings, and Hereditaments; and also reciting that several 'Ways, Streets, and Passages in and about the City and 'County of the City of *Dublin* had been widened and rendered 'more commodious, and that several other Improvements had 'been made by the Commissioners for making wide and convenient Streets in and about the City and County of the City 'of *Dublin*, in pursuance of the Powers vested in them by the 'said several therein-recited Acts as therein is mentioned; and 'that it would tend much to the Convenience and Safety 'of the Inhabitants of the said City and otherwise, as in the

'said

'said Act is mentioned, if the Ways and Passages therein 'mentioned or referred to were widened and improved, it 'was by the said Act now in recital (amongst other things) 'enacted, that the several Acts recited in the said Act now in 'recital, and all and every the Clauses, Powers, Provisions, 'Penalties, Forfeitures, Matters, and Things therein contained '(save and except such Part or Parts thereof as might be varied, 'altered, or repealed, or as were by the Act now in recital 'varied, altered, or repealed) should be as good, valid, and 'effectual for carrying the now-reciting Act into execution to 'all Intents and Purposes whatsoever as if the same had been 'repeated and re-enacted in the Body of the Act now in recital; 'and that the same, and all and every such Clauses, Powers, 'Provisions, Penalties, Forfeitures, Matters, and Things, should 'and might extend and be construed to extend (amongst other 'Improvements and Things) to complete the Opening of the 'Quay on the North Side of the River *Anna Liffey* between '*West Liffey Street* and *George the Fourth's Bridge* in front of 'the *Royal Barracks*, as particularly described or delineated in 'certain Maps or Plans mentioned or referred to in the now-'reciting Act, and in the Schedule annexed to the same Act, in 'such and the like Manner as if the same had been included in 'the said Acts or any of them, and had been delineated and 'laid down on the Map or Plan in the said Acts or any of them 'particularly mentioned or referred to; and it was further 'enacted, that all the Powers and Authorities given to or vested 'in the said Commissioners of Wide Streets or their Successors, 'or any Three or more of them, for the Purpose of carrying 'the said several therein-recited Acts or any of them into exe-'cution, should be and the same were thereby declared to be 'given to and vested in the said Commissioners and their Suc-'cessors, or any Three or more of them, for carrying the now-'reciting Act into execution; and that the said Commissioners 'and their Successors, or any Three or more of them, should 'have and enjoy the like Rights, Privileges, and Immunities, 'and should be subject and liable to the like Rules, Regula-'and Restrictions, for the Purpose of carrying the now-reciting 'Act into execution, as the said Commissioners and their Suc-'cessors, or any Three or more of them, had and enjoyed and 'were subject and liable to for the Purpose of carrying the said 'therein-recited Acts or any of them into execution, except only 'so far as the same or any of them were altered or affected by 'the Act now in recital: And whereas, in pursuance of the 'Powers in the said last-recited Act contained, the said Com-'missioners of Wide Streets, out of the Funds appropriated or 'available for the Purposes of the said Act, did purchase the 'Inheritance in Fee Simple of a Plot of Ground extending 'from *West Liffey Street* along the North Bank of the River '*Anna Liffey*, and lying between the said River and the *Royal* '*Barracks* to *King George the Fourth's Bridge*, on which were 'formerly standing certain Houses and Buildings, forming the 'Streets called *Park Gate Street*, *Barrack Street*, *Windmill Court*,

'*West Liffey Street*, and *Flood Street* respectively: And whereas 'all the said Houses and Buildings, with the Exception of 'Eleven Dwelling Houses which are specified in the Second 'Division of the Schedule to this Act annexed, have been taken 'down and entirely removed, and the Space on which the same 'formerly stood is now vacant: And whereas the said Plot of 'Ground is particularly described in the First Division of the 'Schedule to this Act annexed: And whereas the said Eleven 'Dwelling Houses, with the Appurtenances, are subject to the 'Residue of a Term of Years of which Twenty-seven Years or 'thereabouts are now unexpired, at a yearly Rent of Sixty-'eight Pounds, and the Interests of the Parties entitled thereto 'under the said Lease have not been purchased or taken by the 'said Commissioners of Wide Streets: And whereas, as the 'Commissioners of Wide Streets are, under the Powers vested 'in them, directed to apply all Ground to be purchased by 'them for effecting the Improvements they are authorized to 'make as and for Building Ground and other specific Purposes, 'it is expedient, with a view to the Improvement of the Pro-'perty of the Crown in the Vicinity of the Ground so purchased 'as aforesaid by the Commissioners of Wide Streets, and to the 'general Improvement of the said City of *Dublin*, that the said 'Ground should be purchased and form Part of the Land 'Revenues of the Crown as after mentioned:' May it therefore please 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, That it shall be lawful for the Commissioners of Wide Streets, mentioned in the said Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, to sell unto Her Majesty, Her Heirs and Successors, and for the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with the Consent of the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury for the Time being, or any Three of them, to purchase on the Behalf of Her Majesty, Her Heirs and Successors, (at a Price to be fixed by a Valuation to be made in manner hereinafter directed,) the Fee Simple and Inheritance of all that Piece of Ground herein-before mentioned, and more particularly described in the First Division of the Schedule to this Act annexed and the Eleven Dwelling Houses, with the Appurtenances, described in the Second Division of the said Schedule, subject nevertheless, as to the said Eleven Dwelling Houses, with the Appurtenances, and the Site on which the same now stand, to such Term of Years or other Interest as is now outstanding therein.

Commissioners of Wide Streets empowered to sell, and Commissioners of Woods authorized to purchase, the Ground and Premises comprised in the Schedule to this Act.

II. And be it enacted, That the said Hereditaments, when purchased, shall be conveyed to Her Majesty, Her Heirs and Successors, as Part of the Possessions and Land Revenues of Her Majesty, Her Heirs and Successors, in right of the Crown, in all respects as if the same had been purchased under the Powers

Premises when purchased to be conveyed to Her Majesty, and to form Part of the

Powers contained in the said Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth; and such Conveyance shall be made and executed by the said Commissioners of Wide Streets, or any Three of them, and shall be enrolled in like Manner as is provided with respect to Hereditaments to be purchased in pursuance of the Powers in the said Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth contained; and the Receipts of any Three of the said Commissioners of Wide Streets shall be good and sufficient Discharges for the Monies to be paid for the Purchase of the said Hereditaments. Land Revenue of the Crown.

III. And be it enacted, That the Price to be paid for such Ground and Hereditaments so to be sold by the said Commissioners of Wide Streets as aforesaid shall be ascertained by Two Surveyors, one of whom shall be nominated by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works and Buildings, and the other by the said Commissioners of Wide Streets, or any Three of them; and if such Two Surveyors shall not agree in the Price to be paid, then by such Third Surveyor as the Two so appointed shall nominate; and such Third Surveyor shall be nominated in Writing by the Two so nominated, before they proceed to the Valuation. Amount of Purchase Money to be settled by Two Surveyors or their Umpire.

IV. And be it enacted, That for enabling the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings to effect such Purchase as aforesaid, and to defray all Expences relating thereto, and also for the purchasing the Leasehold Interest of any Parties for the Time being entitled to the said Eleven Houses and Buildings as aforesaid, it shall be lawful for the said Commissioners of Her Majesty's Treasury to raise any Sum, not exceeding the Sum of Forty-three thousand Pounds, by Sale of a competent Part of the Sum of Eighty-three thousand eight hundred and fifty-one Pounds Nineteen Shillings and Four-pence Bank Three and a Half *per Centum* Annuities in *Ireland* now standing in the Names of the Commissioners of Her Majesty's Treasury, and which was purchased with Monies which arose from the Sale of certain of the Crown Land Revenues in *Ireland*. Commissioners of the Treasury to raise Purchase Monies, &c. by Sale of a Portion of the Sum standing in their Names in the 3½ per Cent. Bank Annuities in Ireland.

V. And be it enacted, That all Payments to be made by the Commissioners of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings in pursuance of this Act, shall be made by Drafts on the Bank of *Ireland*, in such Manner and Form in all respects as Payments made by them in the Execution of the Powers in them vested by the said Act of the Tenth Year of the Reign of His said late Majesty King *George* the Fourth are thereby authorized to be made. Payments to be made by the Commissioners of Woods, &c. by Drafts on the Bank of Ireland.

VI. And be it enacted, That all the Powers and Provisions contained in the said recited Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth shall, so far as the same are applicable or can be applied, extend and be construed to extend to this present Act, as fully, amply, and effectually, to all Intents and Purposes whatsoever, as if the same Powers and Provisions of 10 G. 4. c. 50. extended to this Act.

same Powers and Provisions were particularly repeated and re-enacted in this present Act.

Public Act. VII. And be it 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, and others.

The SCHEDULE to which this Act refers.

First Division.

All that Piece or Parcel of Ground situate, lying, and being in the City of Dublin, on the North Side of the River Anna Liffey, between West Liffey Street and George the Fourth's Bridge, in front of the Royal Barracks, abutting towards the North on Barrack Street, towards the South on the River Anna Liffey, towards the East on West Liffey Street, and towards the West on George the Fourth's Bridge and the Northern Approach thereto.

Second Division.

Description of Premises.	Where situate.
A Dwelling House -	No. 52, on the South Side of Barrack Street.
Ditto - -	N° 53, - Ditto.
Ditto - -	N° 54, - Ditto.
Ditto - -	N° 55, - Ditto.
Ditto - -	N° 56, - Ditto.
Ditto - -	N° 57, - Ditto.
Ditto - -	N° 58, - Ditto.
Ditto - -	N° 59, - Ditto.
Ditto - -	N° 60, - Ditto.
Ditto - -	N° 61, - Ditto.
Ditto - -	N° 62, Ditto (being the Corner House of Barrack Street and West Liffey Street).

CAP. XVII.

An Act to abolish Arrest in personal Actions commenced by Process of Subpœna at the Law Side of the Court of Exchequer in *Ireland*.

[18th *May* 1841.]

3&4 Vict. c. 105. ‘ WHEREAS, notwithstanding the Provisions of an Act ‘ passed in the last Session of Parliament, intituled *An* ‘ *Act for abolishing Arrest on Mesne Process in Civil Actions,* ‘ *except*