CAP. LII.

An Act to promote the Improvement of a District of Mountain Land in the Counties of *Limerick*, *Cork*, and *Kerry*, in *Ireland*, by making new Roads through the same, and to encourage the Employment of the poor Inhabitants thereof. [23d *June* 1832.]

'WHEREAS His Majesty in right of His Crown is seised of a Tract of Mountain Land called the Lands of *Pobble O'Keefe*, situated in the North-western Quarter of the Barony of *Duhallow* in the County of *Cork*, and lying nearly in the Centre of a District which extends over Parts of the several Counties of *Limerick*, *Cork*, and *Kerry*, and contains about Two hundred square Miles of Land, for the most Part uninclosed and undrained, although the same be capable of profitable Cultivation: And whereas the Inhabitants of the said District, from Want of an adequate Demand for their Labour, live in a State of great Misery and Destitution: And whereas it hath been recommended that the said Lands of *Pobble O'Keefe* should be drained, inclosed, fenced, and divided into small Farms, and suitable Buildings and other necessary Works erected thereon, under the immediate Direction and Management of the Commissioners of His Majesty's Woods, Forest, Land Revenues, Works, and Buildings, for the Purpose of encouraging the undertaking of similar Improvements on the Lands of other Proprietors of the said District, whereby remunerative Employment may be provided for the numerous poor Inhabitants thereof, and a permanent Amelioration of their Condition effected: And whereas the great Bar to the making of such Improvements with Profit is occasioned by the Want of Carriage Roads through the said District, and convenient Means of Communication with the surrounding Country; and the Inhabitants of the District, from their extreme Poverty, are unable to provide sufficient Funds to defray the Expence of opening such Communications: And whereas, to enable the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings forthwith to undertake and prosecute the proposed Improvements on the said Lands of *Pobble O'Keefe*, and to promote the Attainment of the other beneficial Objects before mentioned, it is expedient that the Roads, Bridges, and other Works herein-after mentioned should be made and constructed under the Direction of the said Commissioners, and that a Sum of Money should be granted out of the Produce of the Possessions and Land Revenues of the Crown in *Ireland* in aid of other Sums to be provided towards defraying the Costs of those Services by the respective Grand Juries of the Counties of *Cork* and *Kerry*, in the Manner and under the Regulations herein-after mentioned concerning the same;' be it therefore 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 it shall and may be lawful to and for the respective Grand Juries of the Counties of *Cork* and *Kerry*, on Application being made to them in Writing by the Commissioners of His Majesty's Woods, Forests, Land

Grand Juries of Counties of Cork and Kerry may make Presentments for

Land Revenues, Works, and Buildings, at any Assizes to present any Sum or Sums of Money to be raised for the Purposes of this Act, and to direct in such Presentments that such Sum or Sums of Money shall be raised and levied either by One entire Assessment or by half-yearly Instalments of not less than Sixteen Pounds Thirteen Shillings and Four-pence on every Hundred Pounds so presented, and to set forth in such Presentments what Part thereof shall be raised upon any Barony or Baronies, or Half Barony or Half Baronies, or Parish or Parishes, in the said Counties, or on the said Counties at large respectively; and that the respective Treasurers of the said Counties shall and they are hereby authorized and required, from Time to Time, without further Authority or Presentment in that Behalf, to insert in their Warrants at each ensuing Assizes such Instalment or Instalments of the whole Sums so presented, until the same shall be fully raised and levied; and that the Sums inserted in such Warrants shall be raised and levied from and off the Baronies, Half Baronies, or Parishes named in such Presentments and Warrants respectively, or on the Counties at large respectively, in like Manner, from Time to Time, and with like Remedy in case of Nonpayment, as all other Money directed by any Warrant of such Treasurers respectively is by Law to be or may be levied. Purposes of this Act.

II. And be it enacted, That the respective Treasurers of the said Counties of *Cork* and *Kerry* shall pay or cause to be paid all such Sum or Sums of Money to be collected by or under the Authority of every such Presentment aforesaid, when and as the same shall be received, into the Bank of *Ireland*, to the Credit of the Account herein-after directed to be opened. Advances to be paid into the Bank of Ireland.

III. And be it enacted, That in respect of any Sum of Money paid into the said Bank of *Ireland* by the Treasurers of the Counties of *Cork* and *Kerry* respectively, in pursuance of this Act, a Certificate of the Payment and Receipt of such Sum or Sums, signed by any One of the Cashiers of the said Bank, (which Certificate is hereby required to be given without Fee or Reward,) shall be an effectual Discharge for the Money therein expressed to be received to the Treasurer of the County on whose Behalf or in whose Name the same shall have been so paid. Bank Certificates of Receipt of Monies paid by Treasurers of Counties to discharge them from further Account.

IV. Provided always, and be it enacted, That no Traverse to any such Presentment aforesaid shall be allowed or received; and that after any such Presentment shall have been made and fiated, the same shall forthwith be certified to the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings by the acting Clerk of the Crown; and it shall not be lawful for any Grand Jury to restrain the Preparation and Issue of the Warrants which the Treasurer of such Grand Jury ought from Time to Time to prepare and issue conformably with the Provisions of this Act. Presentments not to be traversed.

V. And be it enacted, That the Governors and Directors of the Bank of *Ireland* shall and they are hereby required to open a new Account in their Books with the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to be distinguished as "The Account of the said Commissioners in the Matter of the new *Cork* and *Kerry* Roads," and shall carry to the Credit of such Account all the Monies by this Act directed to be Bank of Ireland to open a new Account with Commissioners of Woods, &c. for the Purposes of this Act.

paid in to the Credit thereof, and shall make Payments, to the Debit of such Account, of such Sum or Sums of Money as shall from Time to Time be required by Order under the Hands of the said Commissioners.

Three new Roads and other Works to be constructed, under Direction of the Commissioners of Woods, &c.

VI. And be it enacted, That it shall be lawful for the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to cause such Surveys, Plans, Specifications, and Estimates to be made, and to use or consult any Surveys, Plans, Specifications, or Estimates already made, and to which they have Access, as shall enable them to judge of the most advantageous and convenient Mode of opening the following Lines of Communication; (that is to say,) a Carriage Road commencing at or near to *Castle Island* in the County of *Kerry*, and leading from thence to or to some Point near to *Roskeen Bridge* over the River *Blackwater* in the County of *Cork;* one other Carriage Road commencing at or near to *Shanough Cross* on the High Road from *Killarney* to *Cork*, and leading from thence to some Point where the same shall run into and join the said intended Road from *Castle Island* to *Roskeen Bridge;* and one other Carriage Road in continuation of the present Road near *Mount Infant* in the County of *Cork*, and leading from thence to or to some Point on the Line of the first-mentioned intended Carriage Road, where the said first-mentioned Carriage Road shall intersect the aforesaid Lands of *Pobble O'Keefe;* and of constructing and completing such Bridges, Gullets, and other incidental Works as shall be necessary for making the said Roads available for the Purposes of Transit and Communication, and to fix upon such Course or Line for the said Roads respectively as shall seem most eligible; and to enter into any Contract or Contracts for the making, constructing, and completing the said several Lines of Road, and the Bridges, Gullets, and other incidental Works, or any of them, or any Part or Parts thereof, with such Civil Engineers or other Persons willing to become Contractors, and with their Sureties, for the due Execution of such Contracts, and to insert such Provisions and Stipulations in such Contracts as to the said Commissioners shall seem advisable; or, at their Discretion, to appoint and employ Engineers, Surveyors, and other Persons to make, construct, and complete the said Roads, Bridges, and other incidental Works, or any of them, under the immediate Direction of the said Commissioners.

Commissioners of Woods, &c. may apply 17,000*l.* out of the Produce of the Irish Land Revenues for the Purposes of this Act.

VII. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, with the Consent and Approbation in Writing of the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland*, or of the Commissioners for executing the Office of Lord High Treasurer, or any Three or more of them, from Time to Time, as Occasion shall require, by and out of the annual Income of the Possessions and Land Revenues of the Crown in *Ireland*, or by and out of the Monies arising by any Sale or Sales, Exchange or Exchanges of any Part or Parts thereof, or any other Monies in anywise arising from the Possessions and Land Revenues of the Crown in *Ireland*, to pay into the Bank of *Ireland*, to the Credit of the Account herein-before directed to be opened, any Sums of Money not exceeding in the whole the Sum of Seventeen thousand Pounds, to be applied to the Purposes of this Act.

VIII. And

Application of Monies authorized to be raised and granted.

VIII. And be it further enacted, That the Money which shall from Time to Time be paid to the Credit of the Account to be opened as herein-before is directed shall be from Time to Time applied, by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in paying the Expence of Surveys, Plans, and Estimates, and the Amount of Contracts for the making and constructing the Roads, Bridges, Gullets, and other incidental Works herein-before authorized to be made, or any of them, or in paying for the making and constructing the same or any of them otherwise than by Contract, and in paying any other Sums of Money or Expences which shall become payable for the Purposes of this Act or any of them.

Works not to be commenced until 4,700*l.* be provided by Cork, and 2,300*l.* by Kerry.

IX. Provided always, and be it enacted, That it shall not be lawful for the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to enter into any Contract for the Construction of the Roads, Bridges, Gullets, and other Works herein-before authorized to be constructed, or otherwise to proceed with the Execution of the said Works or any Part thereof, or to expend or apply any of the Sums of Money which shall or may be placed to the Credit of the Account herein-before directed to be opened in the Books of the Bank of *Ireland*, until there shall have been Presentments made by Grand Juries of the Counties of *Cork* and *Kerry*, for the Purposes of this Act, of the several Sums following, at the least; that is to say, the Sum of Four thousand seven hundred Pounds by or on behalf of the County of *Cork*, and the Sum of Two thousand three hundred Pounds by or on behalf of the County of *Kerry*; which said several Sums of Four thousand seven hundred Pounds and Two thousand three hundred Pounds it is hereby intended and required shall be provided by the said Counties as their respective Quotas towards defraying the Costs of constructing the said Roads, Bridges, Gullets, and other Works, and exclusive of any other Sums which the said Counties shall or may be required respectively to provide in satisfaction of the Amount of any Presentment or Presentments to be made as herein-after provided, under any Traverse for Damages or Compensation in respect of any Land or Ground which shall be taken, used, or required for the Purposes of this Act.

When Roads and Bridges certified to be completed, the same to be kept in repair at the Expence of the respective Counties.

X. And be it further enacted, That when and as soon as any Road or Bridge hereby authorized to be made or constructed, or any Part of such Road, shall be completed, it shall be lawful for the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, and they are hereby required, by a Certificate under their Hands, at the next or some subsequent Assizes, to notify to the Grand Jury or respective Grand Juries of the County or respective Counties within which such Road or Bridge, or the Part of such Road which shall be completed, shall be situated, that the same is completed; and from and after such Notification such Road or Bridge, or the Part of such Road the Completion whereof shall be so notified, shall be kept in repair and maintained at the Expence of the County within which the same respectively shall be, in like Manner as public Roads in *Ireland*, made either wholly or in part at the public Expence, are now kept in repair and maintained.

Expence of Bridges between the Counties to be borne equally.

XI. Provided always, and be it further enacted, That when any Bridge made or constructed under the Authority of this Act shall be situated partly in one County and partly in another, the Expence of repairing and maintaining such Bridge, after such Notification as aforesaid of the Completion of the respective Parts thereof to the Grand Juries of such Counties, shall be defrayed by such Counties respectively in equal Moieties.

Power to dig for Materials, making Satisfaction for Damages.

XII. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, their Contractors, Agents, Surveyors, Workmen, and all other Persons by them employed and authorized, to cut, dig, take, and carry away, or cause to be cut, dug, taken, or carried away, any Quantity of Stone, Gravel, Earth, or other Materials proper for the Purpose of making any of the Roads or Bridges by this Act authorized to be made, in, upon, out of, or from any Lands or Grounds of any Person or Persons whomsoever, where the same can be found; and that such reasonable Satisfaction shall be made to the Owner or Owners, Occupier or Occupiers of such Lands, for the Damages which may be done thereby, as shall be ascertained and determined by Traverse heard before the Justices assembled at the General Quarter Sessions of the Peace, such Traverse to be made at the next Quarter Sessions in the Barony in which the Work may be situated, due Notice having been given by the Overseers of the Work at least Twenty-one Days previously to such Quarter Sessions, that no more Earth, Stones, Gravel, or other Materials will be required from the Place respecting which the Traverse shall be made; the Amount awarded by the Jury at the Quarter Sessions to be levied off the Barony in which the Road is situated, and a Return of the same to be made to the Clerk of the Peace.

Not to dig for Materials until after Notice given to Owner of Premises to appear before Two Justices.

XIII. Provided always, and be it further enacted, That it shall not be lawful for any Engineer, Surveyor, Overseers, or other Person or Persons acting under the Authority of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, to dig, gather, get, take, or carry away any Stone, Gravel, Earth, or other Materials, for making, protecting, and preserving the said Roads or Bridges or other Works by this Act authorized to be made or constructed, or for such other Purpose or Purposes as aforesaid, out of or from any inclosed Land or Ground, until Seven Days Notice in Writing shall have been previously given to the Owner or Owners of the Premises from which such Stone, Gravel, Earth, or other Materials are intended to be taken, or to his or her known Agent, or to the Occupier or Occupiers of the Premises from which such Materials are intended to be taken, or left at the House or last usual Place of Abode of such Owner or Occupier, to appear before any Two or more Justices of the Peace acting for the County or Place from whence such Materials intended to be taken shall lie, to show Cause why such Stone, Gravel, Earth, or other Materials shall not be taken therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Engineer, Surveyor, or other Person or Persons so employed as aforesaid to dig, get, gather, take, and carry away such Stone, Gravel, Earth, or other Materials,

at such Time or Times as such Justices shall deem proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, the said Justices shall and may (upon Proof on Oath of the Service of such Notice, and which Oath they are hereby empowered to administer,) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his or her Agents had attended.

Owner not appearing, &c. Justices to make what Order they think fit.

XIV. Provided always, and be it further enacted, That nothing herein-before contained shall be construed to entitle any Owners, Occupiers, or other Persons to Compensation for Damage by the digging and taking Stone, Gravel, Earth, or other Materials in and from any Wastes, Mountains, or uninclosed Land or Ground, for the Purpose of making the Roads or Bridges by this Act authorized to be made.

No Compensation to be made for digging Materials from Wastes, Mountains, or uninclosed Lands.

XV. And be it further enacted, That the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings shall and may, and their Agents, Surveyors, Workmen, and all other Persons by them employed and authorized are hereby empowered, at all such Times as to the same Commissioners may seem fit and convenient, to enter into and upon any Lands or Grounds whatsoever which it may be deemed proper or necessary to survey for the Purpose of making any Road or Bridge under the Provisions of this Act; and that the said Commissioners, and their Agents, Surveyors, and Workmen, shall have Power and Authority to stake out, take possession of, and acquire all such Ground as may be necessary for making the said Roads and erecting the said Bridges; and after the Land or Ground shall have been so staked out and taken possession of by the said Commissioners, or their Agents, Surveyors, or Workmen, as aforesaid, it shall be lawful to and for the Owners and Occupiers of such Land or Ground respectively to proceed, at the Assizes which shall be held for the County in which such Land or Ground shall be situated next after the same shall be so staked out and taken possession of as aforesaid, to traverse for Damages for the same; and each such Traverse shall be tried at the same or the next ensuing Assizes in and for such County; and the Jury which shall try such Traverse or Traverses shall true Verdict give whether any and what Damages will accrue thereby to the Traverser or Traversers; and such Sum or Sums of Money (if any) which shall be so found for Damages it shall and may be lawful to and for any Grand Jury of such County, and they are hereby required, at the same or the then next ensuing Assizes, to present to be raised on the County, Barony, or Half Barony respectively in which the Traverser or Traversers shall have made it appear that he, she, or they sustained the Damage, to which Presentment no Traverse shall be allowed or received; and the Sum or Sums of Money so found and presented, when raised and levied, shall be paid and payable to the respective Traversers by the Treasurers of the same Counties respectively.

Power to survey Lands and take the same for making new Roads and Bridges.

XVI. And be it further enacted, That in case any Sum of Money shall be paid by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or by the respective Treasurers of the Counties of *Cork* and *Kerry*, to the Credit of the Account to be opened as aforesaid, which shall not be required for the

Power to retransfer any Monies supplied and not appropriated to the Purposes of this Act.

Purposes of this Act, either because the Works intended to be carried into effect under the Authority of this Act shall be completed, or because it shall not be thought fit to proceed further therein, then and in any such Case the Money so paid in by the said Commissioners, and which shall not be wanted as aforesaid, shall be transferred and placed by them to the Credit of the Account of the "Woods and Forests Fund" in the Bank of *Ireland;* and the Money so paid in by the said respective Treasurers of the said Counties of *Cork* and *Kerry*, and which shall not be wanted as aforesaid, shall be drawn out by the said Commissioners, and paid to the said Treasurers respectively on account of the said Counties respectively.

Accounts to be audited by Commissioners of Audit appointed under 25 G. 3. *c.* 68.

XVII. And be it further enacted, That the Accounts of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, of the Expenditure and Disposal of the Money which shall be drawn by them from the Account to be opened under the Authority of this Act as aforesaid, shall be examined, tried, and audited, from Time to Time, by the Commissioners appointed under the Authority of the Act of the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for better examining and auditing the Public Accounts of the Kingdom.*

For preventing Injuries and Obstructions to the Roads and Bridges.

XVIII. And be it further enacted, That in case any Engineer, Surveyor, Overseer, or other Officer employed under the Authority of this Act by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, shall observe any Nuisances or Encroachments, Obstructions of Ditches, Drains, Gutters, or Watercourses, or any other Annoyances whatsoever, made, committed, or permitted in or upon or to the Prejudice of any Roads or Bridges made or to be made or erected under the Provisions of this Act, or shall observe any Timber, Stone, Lime, Peat, Dung, Soil, Compost, or Ashes deposited or remaining thereon, or if any Person shall turn or dam any Water thereon, or if any Proprietor or Occupier shall neglect at all proper Times to cleanse or scour any Ditches or Watercourses affecting such Roads or Bridges, such Engineer, Surveyor, Overseer, or other Person appointed by the said Commissioners shall give or cause to be given to any Person or Persons doing, committing, or permitting the same, either personal Notice, or Notice in Writing to be left at his, her, or their usual Place or Places of Abode, specifying the Particulars wherein such Nuisances, Encroachments, Obstructions, or Annoyances consist; and if the same shall not be removed and remedied, and the Ditches, Drains, Gutters, and Watercourses effectually cleansed and opened, within Three Days next after such Notice shall have been given as aforesaid, it shall be lawful for such Engineer, Surveyor, Overseer, or other Person appointed by the said Commissioners, and he and they is and are hereby authorized and empowered, forthwith to remove such Nuisances, Obstructions, and Annoyances, and to open, cleanse, and scour such Ditches, Drains, Gutters, and Watercourses; and the Person or Persons neglecting to observe and obey the above-mentioned Notice shall pay to such Engineer, Surveyor, Overseer, or other Person employed by the said Commissioners, such Charges as shall be adjudged to be reasonable by any Two Justices of the Peace of the same County wherein such Offence or

Nuisance may have been committed or exist, and shall also forfeit, at the Discretion of such Justices, any Sum not exceeding Twenty Pounds; and in default of Payment of such Charges and Penalty the same shall be levied and recovered, with all Costs attending the levying of the same, by Distress and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the said Two Justices; and in case no sufficient Distress can be had, such Justices are hereby authorized and required, by Warrant under their Hands and Seals, to commit such Offender to the Gaol or House of Correction for the County or Place in which such Offence shall have been committed, for any Term not exceeding Two Calendar Months.

For preventing unauthorized Removal of Materials intended to be used for Roads and Bridges.

XIX. And be it enacted, That if any Person or Persons shall take, remove, or carry away any Turf, Earth, Sand, Gravel, Stones, or other Material forming Part of any Road, Bridge, Gullet, or Work to be made or constructed under the Provisions of this Act, or any Materials which shall have been gotten, cut, dug, or gathered for the making such Roads, Bridges, and other Works, or, while the same shall be in progress of Construction, shall take or carry away, without Permission in Writing of the Engineer or Surveyor employed in the Construction thereof, any Materials out of any Pit or Quarry which shall have been made, dug, or opened for the Purpose of getting Materials for the said Works, any Person so offending shall for every such Offence forfeit and pay any Sum, not exceeding Ten Pounds, as shall be adjudged by any Two Justices of the Peace of the County wherein the Offence shall have been committed; and in default of immediate Payment of such Penalty such Justices are hereby authorized and required, by Warrant under their Hands and Seals, to commit such Offender to the Gaol or House of Correction for the County or Place in which such Offence shall have been committed, for any Term not exceeding One Calendar Month.

Application of Penalties.

XX. And be it enacted, That the Monies arising by the Forfeitures or Penalties to be paid or levied by virtue of any such Proceedings as aforesaid shall be paid to the Engineer or Surveyor or other Person appointed by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings to receive the same, and be by them applied for the Purposes of this Act; and every Order of Adjudication of any such Justices of the Peace as aforesaid shall be final and conclusive to all Intents and Purposes whatsoever.

Proceedings in Actions against Commissioners.

XXI. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done by virtue of or in pursuance of this Act, until Twenty Days Notice thereof in Writing shall have been given to the Secretary for the Time being of the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, nor after a sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, nor after Six Months next after the Fact committed; and such Action shall be brought in His Majesty's Court of Exchequer in *Ireland*, and shall be laid in the City of *Dublin*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act

and the special Matter in Evidence, at any Trial to be had thereon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought after the Time herein-before limited for bringing the same, or shall be brought without Twenty Days Notice thereof, or shall be brought in any other Court or laid in any other Place, or after a sufficient Satisfaction made or tendered as aforesaid, that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become non-suited, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases by Law.

Notice of Evidence.

XXII. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff, on Trial of any such Action as aforesaid, of any Cause of Action except such as shall be contained in the Notice hereby directed to be given.

Commissioners may sue and be sued in the Name of their Secretary; and Suits not to abate by his Removal, &c.

XXIII. And be it further enacted, That it shall be lawful for the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, in every Case in which it may become necessary, to sue and be sued in the Name of their Secretary for the Time being; and that no Action or Suit in Law or Equity, to be brought or commenced by or against the said Commissioners or any of them, on account of this Act, in the Name of their Secretary for the Time being, shall abate or be discontinued by the Death or Removal of such Secretary, or by the Act of such Secretary without the Consent of the said Commissioners, but the Secretary of the said Commissioners for the Time being shall always be deemed the Plaintiff or Defendant in such Action or Suit, as the Case may be; and no Action or Suit shall be brought against the said Commissioners collectively or individually, or against their Secretary, except in His Majesty Court of Exchequer in *Ireland*, and with the Leave of such Court first had and obtained, and upon such Terms and Conditions as the said Court shall direct.

Proceedings of Commissioners exempted from Stamp Duties.

XXIV. And be it further enacted, That no Contract, Agreement, or other Instrument made or taken, under or in pursuance of this Act, with or by the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings, nor any Certificate, Order, or Receipt under or in pursuance of this Act, shall be liable to any Stamp Duty whatsoever.

Any Two of the Commissioners of Woods, &c. may act.

XXV. And be it further enacted, That all Acts, Matters, and Things which the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings are by this Act required or authorized to do or execute shall and may be done by any Two of such Commissioners for the Time being.

Act may be altered.

XXVI. And be it further enacted, That this Act or any of the Provisions thereof may be altered or repealed by any Act or Acts to be passed in this present Session of Parliament.