

**CHAPTER xvi.**

An Act to authorise the making and laying out of a new park in the city of Dublin to be called Saint Patrick's Park to vest the park in the Lord Mayor Aldermen and Burgesses of the city with power to maintain and regulate the same and for other purposes.

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[3rd June 1897.]

WHEREAS the making and maintaining of a new public park in the city of Dublin would be of public advantage and conduce to the health and enjoyment of the inhabitants of the said city :

And whereas certain lands within the area shown on the deposited plans herein-after mentioned as the site of the intended new park have from time to time been acquired by various persons and are now vested in them for the purpose of being laid out and formed into such a park but have not yet for want of funds been so applied :

And whereas the Right Honourable Arthur Edward Baron Ardilaun the Right Honourable Edward Cecil Baron Iveagh K.P. and James Talbot Power Esquire D.L. are willing to undertake the establishment of such a park and to lay out the lands already acquired for that purpose and also to provide the funds necessary for purchasing additional lands for that and other purposes as provided by this Act and for improving and ornamenting a portion of the said lands so as to form a park and are willing that the park shall when it has been laid out and completed be transferred to and vested in the Right Honourable the Lord Mayor aldermen and burgesses of the city of Dublin (in this Act called "the Corporation") to be held by them as a public park and that other parts of the said lands shall be transferred to and vested in the Corporation for the widening and improvement of the streets adjoining the said park :

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And whereas it is expedient that a body of trustees should be incorporated for carrying out such purposes and to vest in them the lands already acquired for a new park and to confer on them such powers of purchasing land and laying out the same and of otherwise dealing therewith and such other powers as provided by this Act :

And whereas it is expedient to authorise the Corporation to accept a transfer of and to maintain and regulate the said park and also to carry out in connexion therewith the said widenings and improvements of streets adjoining thereto and to raise moneys and apply their funds for such purposes :

And whereas it is expedient that the other provisions herein-after contained should be made :

And whereas plans describing the situation of the intended new park and the line and situation of the street widenings and improvements and of the lands houses and property authorised to be taken compulsorily under this Act and sections showing the levels of the street widenings and improvements and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Act were duly deposited with the clerk of the peace for the county of the city of Dublin and with the clerk of the peace of the county of Dublin and are herein-after respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

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 as follows :—

Short title.

1. This Act may be cited as the Saint Patrick's Park (Dublin) Act 1897.

Incorporation of Acts.

2. The Lands Clauses Acts (so far as they are not varied by or inconsistent with the provisions of this Act and except in so far as they authorise the purchase or conveyance of lands in consideration of an annual rentcharge) are incorporated with and form part of this Act and in construing for the purposes of this Act the said Acts the following words and expressions have the meanings hereby assigned to them unless there be something in the subject or context repugnant to such construction (that is to say) The expressions "the Promoters" "the Promoters of the Undertaking" or "the Company" shall mean the Trustees or (in case of the street

widenings and improvements by this Act authorised) the Corporation . A.D. 1897.
as the case may be.

3. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the incorporated Acts have the same respective meanings And in this Act— Interpreta-
tion of terms.

The expression "the Trustees" means the Trustees of Saint Patrick's Park by this Act incorporated ;

The expression "the Corporation" means the Right Honourable the Lord Mayor aldermen and burgesses of the city of Dublin acting by the town council ;

The expression "Saint Patrick's Park" or "the Park" means the park for the making and maintaining of which powers are by this Act conferred on the Trustees and the Corporation respectively ;

The expression "the Local Government Board" means the Local Government Board for Ireland.

4. The Right Honourable Arthur Edward Baron Ardilaun the Right Honourable Edward Cecil Baron Iveagh K.P. and James Talbot Power Esquire D.L. and the survivors and survivor of them and such other person or persons as may from time to time be appointed Trustees as herein-after provided shall be and are hereby incorporated as Trustees for the purposes of this Act by the name of "The Trustees of Saint Patrick's Park" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase take hold and dispose of lands and other property for the purposes of this Act. Incorporation of a
body of
Trustees.

5. The following provisions shall apply to the Trustees :—

- (1) A trustee may resign by sending a notice in writing to that effect to the Trustees and shall cease to be a trustee at the expiration of one month from the service of such notice :
- (2) If any trustee dies resigns or becomes incapable of acting then the surviving and continuing trustees or trustee or the personal representatives of the last surviving trustee may (if they or he think fit) appoint by writing under the seal of the Trustees or under the hand and seal of the said personal representatives as the case may be another person or other persons to be a trustee or trustees in the place of the trustee dead resigning or becoming incapable of acting :
- (3) If any trustee dies resigns or becomes incapable of acting the Trustees shall continue to be as competent to act as if no such vacancy or deficiency in number had occurred and no

Provisions
as to the
Trustees.

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act of the Trustees shall be invalidated or be illegal by reason of the original number of the Trustees not being filled up or by reason of any irregularity or omission in or about any appointment of a new trustee or trustees :

(4) The meetings of the Trustees shall be held at such time and in such manner and their proceedings regulated in all respects as the Trustees shall from time to time prescribe :

(5) The Trustees may appoint such officers as they think fit and may remove or discharge officers and appoint others in the room of such of them as shall be removed or discharged or who shall happen to die in all respects as the Trustees shall deem necessary or convenient.

Power to
take lands.

6. Subject to the provisions of this Act the Trustees may enter upon take and use the lands herein described and delineated on the deposited plans and thereon coloured blue and green and described in the deposited book of reference and may hold or otherwise deal with the same in the manner and for the purposes provided by this Act The said lands are as follows (that is to say) :—

Certain lands houses and other property situate lying or being within the area coloured blue on the deposited plans which lands houses and other property are bounded by a line commencing at the corner of the kerb of the footpaths of Patrick's Close North and Patrick Street and continued in a northerly direction along the kerb of the footpath on the east side of Patrick Street to the corner of the said footpath of Patrick Street and Bull Alley then continued in an easterly direction along the front of the premises in Bull Alley to the corner of Bull Alley and the corner of the kerb of the footpath on the west side of Bride Street then continued in a southerly direction along the kerb of the said footpath in Bride Street to the corner of the kerb of the footpaths of Bride Street and Canon Street then continued in a westerly direction along the kerb of the footpath in Canon Street to the angle of the footpaths between Canon Street and Patrick's Close North then continued from the said angle of the footpaths between Canon Street and Patrick's Close North aforesaid and terminating at the point of commencement aforesaid :

Also certain lands houses and other property coloured green on the deposited plans bounded by a line commencing at the white quoins marking the north-east corner of the boundary of Saint Patrick's Cathedral premises in Canon Street continued in a north-easterly direction along the front of the premises in

Canon Street to a point ten yards or thereabouts measured in a south-westerly direction from the south corner of Canon Street and Bride Street thence in a southerly direction for a distance of eight yards or thereabouts to a point on the rear of the said premises and distant from the frontage in Bride Street of the said premises twelve yards or thereabouts thence in a south-westerly direction along the rear of the premises to be acquired abutting on Canon Street for a distance of nineteen yards or thereabouts thence in a south-easterly direction for a distance of four yards or thereabouts thence in a south-westerly direction along the north side of a passage for a distance of nine yards or thereabouts thence in a north-westerly direction for a distance of five yards or thereabouts thence in a westerly direction parallel to the inside face of the boundary wall in Canon Street of Messrs. Leslie and Co.'s premises and at a distance of three yards or thereabouts from same for a distance of twelve yards or thereabouts thence in a northerly direction for a distance of three yards or thereabouts and terminating at the point of commencement aforesaid. A.D. 1897.

7. Subject to the provisions of this Act the Trustees may stop up and discontinue for public traffic Saint Patrick's Place or Walker's Alley Goodman's Lane Myler's Alley Verschoyle's Court and Baldam's Court and any other streets lanes courts and approaches comprised within the area shown on the deposited plans and marked "Proposed Saint Patrick's Park" and also within that part of the area coloured blue on the deposited plans which is outside the said area marked "Proposed Saint Patrick's Park" thereon and upon the stopping up and discontinuance for traffic of the same respectively the sites and soil thereof respectively shall be by this Act vested in the Trustees free from all public and other rights of way or passage or other rights in over under or through the same but such sites and the soil thereof shall and may be appropriated for the purposes and in manner provided by this Act.

The Trustees may stop up roads and extinguish rights of way.

8. When and so soon as the Trustees shall have acquired the lands coloured green on the deposited plans and after the expiration of the period of three months from the date when the Trustees shall have transferred to and vested in the Corporation such lands as are necessary for the purpose of widening Bull Alley in accordance with the provisions of this Act the Trustees may enter upon and stop up and discontinue for public traffic the whole of Patrick's Close North and part of Canon Street from its junction

Power to the Trustees to close certain streets and places.

A.D. 1897. with Patrick's Close North to a point ten yards or thereabouts measured in a south-westerly direction from the south corner of Bride Street and Canon Street as shown on the deposited plans and thereon coloured yellow brown and purple and upon such stopping up and discontinuance for traffic the said close and portion of a street and the site and soil thereof shall be and are hereby vested in the Trustees free from all public and other rights of way or passage or other rights in over under or through the same but such site and the soil thereof and also the said lands coloured green on the deposited plans shall and may be appropriated by the Trustees for the purposes following (that is to say):—

- (1) The Trustees shall so soon as conveniently may be after they shall have stopped up such close and portion of a street declare by writing under their seal that so much of the said lands as is coloured yellow on the deposited plans shall vest in the representative body of the Church of Ireland for the purpose of being added to and forming part of the precincts of Saint Patrick's Cathedral and the same shall vest in that body accordingly and the said body shall hold such lands as part of the lands annexed to the said cathedral and shall fence or otherwise enclose and lay out the same accordingly in a suitable manner to be approved by the Trustees and the Corporation and the said body may deal with such lands in all respects as if they had always formed part of the precincts of the said cathedral. Provided always that the said representative church body shall not at any time hereafter have any power of burial in any portion of the said lands so to be vested in them nor shall they (except with the consent of the Corporation) erect on such lands any buildings other than a chapter house and the connexion thereof with the said cathedral:
- (2) The Trustees shall after such stopping up as aforesaid appropriate so much of the said lands as is coloured brown on the deposited plans for the purposes of Saint Patrick's Park and to be dealt with accordingly in the same way as the other lands to be acquired by them under this Act for the purposes of the park:
- (3) So much of the said lands as is coloured purple on the deposited plans shall be appropriated for the purpose of forming a footpath or passage to Saint Patrick's Cathedral and to the property coloured green on the deposited plans and the said land coloured purple may be vested in such person for such purposes as aforesaid as the Trustees may think fit and may by writing under their seal declare and such lands shall so

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vest by virtue of such writing and the Trustees or other the person in whom the same shall be vested as aforesaid shall erect and maintain a gate at the entrance of the said passage :

- (4) The said lands coloured green on the deposited plans may be appropriated to such purposes or disposed of by the Trustees in such manner as they shall think fit and may be assured conveyed or otherwise dealt with accordingly and for or without a consideration as the Trustees deem proper but in case the Trustees receive any money consideration for such lands such money shall be applied by them in or towards defraying to that extent the expenses of laying out and making the park.

If the Trustees fail after they shall have stopped up Patrick's Close North and part of Canon Street as shown on the deposited plans and thereon coloured yellow brown and purple in due course to apply the said lands for the purposes and in the manner in this section provided then the said close and street shall be reopened for traffic at the cost of the Trustees in the same manner as heretofore and the Corporation shall thereafter have the same estate and interest therein and right of control thereover as they had immediately before the passing of this Act.

9.—(1.) All property real and personal of whatever description which may immediately before the passing of this Act belong to or be vested in any person for the purposes of Saint Patrick's Park or in connexion therewith and in particular the lands within the area shown on the deposited plans as the site of the intended new park which have from time to time previous to the passing of this Act been acquired by various persons and are vested in them for the purpose of being formed into such a park (other than any property the legal estate or property wherein is not transferable by deed and any securities or property transferable only by a deed or instrument of a prescribed form or transferable only in the books of any corporation or company which is then vested in any such person and for the transfer to and vesting of which in the Trustees provision is herein-after in this section expressly made) shall on and from the passing of this Act pass to and vest in the Trustees for all the estate and interest of such person therein and to be applied by the Trustees for the purposes of the park or otherwise as provided by this Act.

Vesting of
property.

(2.) Any property the legal estate or interest wherein is not transferable by deed or any securities or property transferable only by deed or instrument of a prescribed form or transferable only in the books of a corporation or company or interests and rights in to and out of the same immediately before the passing of this Act

A.D. 1897. — vested in any person for the purposes of Saint Patrick's Park or in connexion therewith shall at the expense of the Trustees on or as soon as conveniently may be after the passing of this Act be conveyed assured and transferred to the Trustees for the purposes aforesaid and until such conveyance and transfer shall be held upon trust for the Trustees.

(3.) Every such person in whom any property shall have been vested as aforesaid shall as from the passing of this Act or such conveyance or transfer be released and discharged from and indemnified against all claims demands or liabilities arising in respect of such property.

(4.) All contracts agreements assurances conveyances deeds and other instruments acts or things made entered into executed or done by to or with any such person to whose rights and liabilities the Trustees shall have succeeded under the foregoing provisions shall be as valid and effectual in every respect for against or with reference to the Trustees as they would have been but for such vesting or transfer for against or with reference to any such person.

Provided that nothing in this section shall affect the deposit fund herein-after in this Act mentioned or operate to transfer the same to the Trustees.

Power to
the Trustees
to make
Saint
Patrick's
Park.

10. The Trustees as soon as they have acquired compulsorily or by agreement or otherwise the lands or any part thereof comprised within the area shown on the deposited plans and marked "Proposed Saint Patrick's Park" and edged round with red and which lands are situate on the north and north-east sides of Saint Patrick's Cathedral may lay out the said area or such part thereof as they shall have for the time being acquired as a public park or pleasure ground for the convenience and recreation of the inhabitants of Dublin and the public generally and such park shall be called "Saint Patrick's Park" and the Trustees may also (if they think fit) make roads and paths and erect fences lodges gates bandstands ornamental buildings sanitary conveniences lamps or other erections therein and provide or make gymnasiums ponds fountains or other ornamental waterworks and place statues and lay down gas and water pipes therein and generally do all such acts matters and things whether of the same kind as those above mentioned or different as may be proper for rendering the said area suitable for use as a public park and the Trustees shall from time to time after the park is in their discretion sufficiently fenced in declare by writing under their seal that so much as they shall have for the time being acquired under the powers of this Act of the lands coloured blue on the deposited plans as lies outside the area edged

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round thereon with red shall vest in the Corporation for the purpose of the street widenings and improvements by this Act authorised and the same shall vest in the Corporation accordingly Provided that the Trustees may make such gates or other entrances from the park into the area so to be vested in the Corporation for street widenings and improvements and either before or after such vesting as they deem proper Provided also that after the vesting in the Corporation of the said lands for street widenings and improvements the Trustees shall cease to act in respect thereof and shall be released and discharged from all claims demands liabilities and obligations in respect of the said lands for street widenings and improvements so vested Provided lastly that in so laying out as aforesaid the said lands within the said area forming the park the Trustees shall not without the consent of the Corporation alter the existing levels of the said lands where the same immediately adjoin or abut upon any existing road forming the boundary thereof or any intended widening of any such road but the Trustees shall if required by the Corporation alter the levels of the lands immediately adjoining Bull Alley so as to make the same conformable with the level of the new roadway of such alley as shown on the deposited sections.

11. Subject to the provisions of this Act the Trustees for the purpose of the formation and laying out of the park may remove alter divert or stop up all or any part of any sewer drain pipes tubes wires or other works or things in upon over or under the lands or any part thereof comprised in the area shown on the deposited plans and marked "Proposed Saint Patrick's Park" or in the roads or streets abutting thereon Provided always that if the Trustees for the purposes aforesaid deem it necessary and proper to remove alter divert or stop up any sewer drain pipes tubes or other works or things belonging to the Corporation in upon or over the said lands or in the roads or streets abutting thereon the same shall at the expense of the Trustees be removed altered diverted or stopped up under the supervision and to the reasonable approval and satisfaction of the engineer of the Corporation Provided also that the Trustees shall not remove alter or in any way interfere with any pipes tubes wires or other property belonging to or used by the Postmaster-General except in accordance with and subject to the provisions of the Telegraph Act 1878.

Power to
the Trustees
to do sub-
sidiary
works.

12. In order to avoid injury to the houses and buildings situate on the north side of Bull Alley by the removal of the houses on

The Trustees
empowered
or may be

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required to
support or
strengthen
certain
houses.

the opposite side of the alley from which houses there are struts or baulks of timber for supporting the said houses and buildings the Trustees at their own costs and charges may and if required by the owners and lessees of any such house or building shall subject as herein-after provided support or otherwise strengthen the same and the following provisions shall have effect (that is to say) :—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners and lessees of the house or building so intended or so required to be supported or otherwise strengthened :
- (2) Each such notice if given by the Trustees shall be served in manner prescribed by section 19 of the Lands Clauses Consolidation Act 1845 and if given by the owners and lessees of the premises to be supported or strengthened shall be sent to the Trustees :
- (3) If any owner lessee or occupier of any such house or building or the Trustees as the case may require shall within seven days after the giving of such notice give a counter notice in writing that he or they as the case may be dispute or disputes the necessity of such supporting or strengthening the question of the necessity shall be referred to an engineer to be agreed upon or in case of difference to an engineer to be appointed at the instance of either party by the Board of Trade :
- (4) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such supporting or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Trustees may and shall proceed forthwith so to support or strengthen the said house or building :
- (5) The cost of the reference shall be in the discretion of the referee.

Restrictions
on displacing
persons of
labouring
class.

13.—(1.) The Trustees shall not under the powers by this Act granted purchase or acquire ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until—

- (a.) They shall have obtained the approval of the Local Government Board to a scheme for providing new dwellings for such number of persons as were residing in such houses on the

fifteenth day of December last or for such number of persons as the Local Government Board shall after inquiry deem necessary having regard to the number of persons on and after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(b.) They shall have given security to the satisfaction of the Local Government Board for the carrying out of the scheme.

(2.) The approval of the Local Government Board to any scheme under this section may be given either absolutely or conditionally and after the Local Government Board have approved of any such scheme they may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced :

Provided that the Local Government Board may dispense with the last-mentioned requirement subject to such conditions (if any) as they may see fit.

(4.) Any provisions of any scheme under this section or any conditions subject to which the Local Government Board may have approved of any scheme or of any modifications of any scheme or subject to which they may have dispensed with the above-mentioned requirement shall be enforceable by a writ of Mandamus to be obtained by the Local Government Board out of the High Court.

(5.) If the Trustees acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Local Government Board by action in the High Court and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the Court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Trustees may appropriate the whole or any part of the

A.D. 1897. — lands coloured green on the deposited plans and may purchase such further lands as they may require and for the purpose of any such purchase sections 202 203 and 214 of the Public Health (Ireland) Act 1878 shall be incorporated with this Act and shall apply to the purchase of lands by the Trustees for the purposes of any scheme under this section in the same manner in all respects as if the Trustees were a sanitary authority within the meaning of the Public Health (Ireland) Act 1878 and the scheme were one of the purposes of that Act except that the proceeds of sale of any lands so acquired and not being required for such scheme shall be applicable in such manner as the Trustees deem expedient.

(7.) The Trustees may on the said lands coloured green on the deposited plans or purchased or acquired under this section or any Provisional Order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell demise or let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply the proceeds in such manner as the Trustees deem expedient:

Provided that all lands on which any buildings have been erected or provided by the Trustees in pursuance of any scheme under this section shall for a period of twenty-five years from the date of such scheme be appropriated for the purpose of such dwellings and every conveyance demise or lease of such lands and buildings shall be endorsed with notice of this enactment:

Provided also that the Local Government Board may at any time dispense with all or any of the requirements of this sub-section subject to such conditions (if any) as they may see fit.

(8.) The Local Government Board may direct any inquiries to be held which they may deem necessary in relation to any scheme under this section and may appoint or employ inspectors for the purposes of any such inquiry and the inspectors so appointed or employed shall for the purposes of such inquiry have all such powers as the inspectors of the Local Government Board have for the purposes of inquiries directed by the Local Government Board under the Public Health (Ireland) Act 1878.

(9.) The Trustees shall pay to the Local Government Board a sum to be fixed by that Board in respect of the preparation and issue of any Provisional Order in pursuance of this section and any expenses incurred by that Board in relation to any inquiries under this section including the expenses of any witnesses summoned by

the inspector and a sum to be fixed by that Board not exceeding three guineas a day for the services of such inspector.

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(10.) For the purposes of this section the expression "labouring class" means and includes mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

14. The powers of the Trustees for the compulsory purchase of lands under this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

15. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Trustees any easement right or privilege (not being an easement right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements rights and privileges as aforesaid respectively.

Persons under disability may grant easements &c.

16. And whereas in the construction and laying out of the park hereby authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 92 of the Lands Clauses Consolidation Act 1845 the owners of and other persons interested in the houses or other buildings or manufactories described in this section and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbitrators or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Trustees the portions only of the premises so required without the Trustees being obliged or compellable to purchase the whole or any greater portion thereof the Trustees paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other parties interested therein by severance or otherwise.

Owners may be required to sell parts only of certain buildings.

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The premises of which part only may be required are as follows :—

Number on Deposited Plans.	Description of Property.	Parish.
1	House No. 33 Bride Street (part of).	Saint Patrick (Liberties of).
2	House No. 12 Canon Street -	Saint Patrick (Liberties of).
3	House No. 11 Canon Street -	Saint Patrick (Liberties of).
4 and 5	House No. 10 Canon Street and basement steps leading to No. 10 Canon Street.	Saint Patrick (Liberties of).
6	Part of yard - - -	Saint Patrick (Liberties of).
7	Ashpit - - -	Saint Patrick (Liberties of).
8	Shed - - -	Saint Patrick (Liberties of).
9	Wall and part of yard -	Saint Patrick (Liberties of).
10	Water closets - - -	Saint Patrick (Liberties of).

Errors and omissions in plans &c. may be corrected by two justices.

17. If any omission misstatement or erroneous description shall have been made of any lands or of the owners lessees or occupiers of any lands described in the deposited plans or book of reference it shall be lawful for the Trustees after giving ten days' notice to the owners lessees and occupiers of the lands affected by such proposed correction to apply to two justices for the correction thereof and if it shall appear to such justices that such omission misstatement or erroneous description arose from mistake they shall certify the same accordingly and they shall in such certificate state the particulars of any such omission and in what respect any such matter shall have been misstated or erroneously described and such certificate shall be deposited with the clerk of the peace of the county of the city of Dublin and with the clerk of the peace of the county of Dublin and shall also be deposited with the clerk of the South Dublin Poor Law Union and such certificate shall be kept by such clerks of the peace and clerk of the union respectively along with the other documents to which it relates and thereupon such plans or book of reference shall be deemed to be corrected according to such certificate and it shall be lawful for the Trustees to take the lands in accordance with such certificate.

Form and service &c. of notices by the Trustees.

18. Any instruments (including a notice order resolution declaration requisition consent approval disapproval demand or other document) made given delivered or served under this Act by the Trustees shall be in writing and shall be sufficiently authenticated by the name "The Trustees of Saint Patrick's Park" being affixed thereto in writing and it shall be sufficient in all cases

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where any such instrument is required to be given or delivered to or served on the owner lessee or occupier of any property to address it to such owner lessee or occupier by his description as owner lessee or occupier (as the case may be) of the premises (the same being described) in respect of which it is given or served without further name or description and any such instrument may be addressed to owners lessees or occupiers of any number of adjoining or neighbouring houses or buildings collectively and when so addressed may be served on more owners lessees or occupiers than one (so that separate copies be served on the respective owners or occupiers of the several houses or buildings concerned) and any such instrument may be served on any owner lessee occupier or other person either personally or by sending the same through the post in a registered letter addressed to him by name at his last-known place of abode or business or by delivering the same to some inmate at his last-known or usual place of abode or business or in case of any occupier to an inmate of the building in respect of which it is given or served or if the building is unoccupied and the place of abode of the person to be served is after diligent inquiry unknown it shall be sufficient to affix it or a copy thereof to some conspicuous part of such building.

19. When and so soon as the Trustees are satisfied that the said lands shown on the deposited plans and marked "Proposed Saint Patrick's Park" have been rendered suitable for a public park in accordance with the purposes of this Act and have passed a resolution to that effect and have given notice in writing of such resolution to the Right Honourable the Lord Mayor of the city of Dublin the Trustees shall by notice to be published in the "Dublin Gazette" declare that the said park is open for a public park to be called and known by the name of "Saint Patrick's Park."

Notice of
opening of
Saint
Patrick's
Park.

20. Upon the publication of the said notice the said park called Saint Patrick's Park and all the estate and interest therein of the Trustees shall be and the same are hereby transferred to and vested absolutely in the Corporation for the purposes of this Act as a public park and the Corporation shall accept and thenceforth hold the same freed and discharged from all former and other estates rights titles charges and incumbrances whatsoever but subject to the trusts and purposes for which the same is to be vested in them under this Act Provided nevertheless that the aforesaid transfer and vesting shall not apply to or affect the lands shown on the deposited plans and therein coloured yellow purple and green which are to be otherwise dealt with under the provisions of this Act.

Transfer of
Saint
Patrick's
Park to the
Corporation.

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The Trustees
to cease to
act as to the
Park after
transfer to
the Cor-
poration.

Provisions
as to deposit
fund.

21. From and after the transfer and vesting in the Corporation of Saint Patrick's Park the Trustees shall cease to act in respect thereof and shall be released and discharged from all claims demands liabilities and obligations thereafter arising in respect of the park and thereafter the Corporation shall have power to hold and maintain the park for the purposes and in manner in this Act provided.

22. Whereas a sum of ten thousand pounds New two and three quarters per cent. Consolidated Stock has been previous to the passing of this Act transferred into the names of the said Right Honourable Arthur Edward Baron Ardilaun the Right Honourable Edward Cecil Baron Iveagh K.P. and James Talbot Power Esquire D.L. (who and the survivors or survivor of whom or the personal representatives of the survivor as the case may be are in this section referred to as "the depositors") for the purposes in this section mentioned which sum together with any accumulations thereof is referred to in this Act as "the deposit fund" Be it enacted that the following provisions shall apply to the deposit fund:—

(a) The Trustees may from time to time whenever they deem proper call upon the depositors to transfer or pay to the Trustees such portion of the deposit fund or the accumulations thereof as may be necessary for defraying the expenses of the compulsory purchase of lands by the Trustees under the powers of this Act and the depositors shall thereupon transfer or pay to the Trustees a sufficient portion of the deposit fund accordingly to be applied by them as aforesaid:

(b) When and so soon as the park shall have been completed and vested in the Corporation the deposit fund or so much thereof as shall not have been previously realised and applied as aforesaid shall be and the same is hereby released and discharged from liability to be claimed by the Trustees under this Act or to be applied as herein-before provided and shall be repaid or retransferred to the depositors accordingly for their own use absolutely:

(c) Nothing in this or any other Act contained shall make the deposit fund subject to the control or direction of the Commissioners of Charitable Donations and Bequests for Ireland nor shall their sanction be necessary for any dealing therewith.

Dissolution
of the
Trustees.

23. At the expiration of six months from the date of the transfer and vesting by the Trustees under the powers of this Act in any other person of the last remaining portion of any lands

acquired by them under the powers of this Act or from the date of the transfer to and vesting in the Corporation of the park whichever shall last happen the Saint Patrick's Park Trustees shall cease to exist as a corporate body. A.D. 1897.

24. The Corporation shall after the transfer to and vesting in them of Saint Patrick's Park maintain the same as an ornamental park or pleasure ground for the recreation and enjoyment of the inhabitants of Dublin and the public generally and shall allow the same so to be used and not for any other purpose and the Corporation shall at all times thereafter maintain and keep Saint Patrick's Park and the buildings and erections thereon and all other things thereto belonging in as good order and equipment as the same were in when transferred to them and may also (if they think fit) employ and pay such gate or lodge keepers and other necessary officers and servants for the order and management thereof in all respects as they may deem suitable and proper.

The Corporation to maintain Saint Patrick's Park as a park.

25. The Corporation shall after the transfer to and vesting in them of Saint Patrick's Park have and may exercise with respect to Saint Patrick's Park all such rights powers and authorities for the maintenance and regulation of a public park and of levying rates and borrowing money in connexion therewith as are conferred on a governing body by the Public Parks (Ireland) Act 1869 and the Public Parks (Ireland) Act 1869 Amendment Act 1872 with reference to a park established under the provisions of those Acts and the park shall for the purpose of enabling the Corporation to make byelaws with reference thereto be deemed to be a park established under the provisions of the Public Parks (Ireland) Act 1869 and the Corporation shall (in addition to the powers of making byelaws conferred on such governing body by the said last-mentioned Act and in addition to the powers conferred on an urban authority by section 44 of the Public Health Acts Amendment Act 1890) have power of making byelaws for regulating or prohibiting the holding of public meetings in the park and any assemblages calculated to interfere with the enjoyment thereof as a park or pleasure ground and for setting apart particular spaces for games and for fixing the time when the park shall be open to the public and when closed and generally for the regulation and the use thereof as a public park or place of recreation and the Corporation may impose a penalty not exceeding five pounds for any and every breach of any byelaw made as aforesaid Provided always that the park shall not be closed to the public for more than twelve

Provisions of Public Parks (Ireland) Acts applied.
32 & 33 Vict. c. 28.
35 & 36 Vict. c. 6.

A.D. 1897. days in any year or for more than four days consecutively Provided always that every such byelaw shall be so framed as to allow of part only of the maximum penalty thereby imposed being inflicted and subject to the provisions aforesaid such byelaws shall be made in the same manner subject to the same conditions and with the like sanction as are provided with respect to byelaws under section 10 of the Public Parks (Ireland) Act 1869 (Power to make byelaws) Provided always that section 3 of the Public Parks (Ireland) Act 1869 Amendment Act 1872 shall not apply to Saint Patrick's Park or any part thereof.

The park to be deemed a place of public resort.

26. The park so soon as it shall have become vested in the Corporation under the provisions in that behalf in this Act shall for police purposes be deemed a place of public resort and the police shall thereupon have and be entitled to exercise therein all such powers as they are entitled by law to exercise in a place of public resort.

Power to the Corporation to make street improvements.

27. Subject to the provisions of this Act the Corporation shall when and so soon as such of the lands delineated on the said plans and described in the deposited book of reference as intended for the purposes of street widenings and improvements have been transferred to and vested in them under the provisions in this Act make and maintain at their own costs and charges in the lines and according to the levels shown on the deposited plans and sections the street widenings and improvements herein-after mentioned together with all necessary footpaths works and conveniences connected therewith and may use such lands for those purposes The street widenings and improvements above referred to are as follows:—

(a) The widening and improving of Bride Street commencing at a point in the parish of Saint Patrick's (liberties of) distant one yard or thereabouts measured in a westerly direction from the south corner of Canon Street and Bride Street and terminating in the said parish at a point distant nine yards or thereabouts measured in a southerly direction from the north corner of Bull Alley and Bride Street:

(b) The widening and improving of Bull Alley commencing at a point in the parish of Saint Bridget's distant seven yards or thereabouts measured in a southerly direction from the line of the front of the premises on the south side of Golden Lane along the front of the premises abutting on the east side of Bride Street and terminating at a point in the parish of Saint

Nicholas Without distant three yards or thereabouts measured in a northerly direction from the north corner of Hanover Lane and Patrick Street along the front of the premises abutting on the west side of Patrick Street :

A.D. 1897.

- (c) The widening and improving of Patrick Street commencing at a point in the parish of Saint Nicholas Without distant thirteen yards or thereabouts measured in a north-easterly direction from the south corner of Hanover Lane and Patrick Street and terminating at a point in the parish of Saint Patrick's (liberties of) distant thirty-three yards or thereabouts measured in a southerly direction from the north corner of Patrick's Close North and Patrick Street.

28. Subject to the provisions of this Act the Corporation in connexion with the street widenings and improvements and as part of the works which the Corporation is by this Act authorised to carry out may make and improve junctions with any existing streets and footpaths and may make alterations of the lines or levels of any existing streets or footpaths for the purpose of connecting the same with the widened streets and footpaths and may remove alter divert or stop up all or any part of any sewer drain pipes tubes wires apparatus or other things as may be necessary for such purposes the Corporation providing a proper temporary substitute before interrupting the flow of water gas sewage or electricity in any such sewer drain pipe tube wire or apparatus and making full compensation to all persons injuriously affected by the exercise of the powers of this section. Provided that nothing in this section shall extend to authorise any interference with electric apparatus or other property of Her Majesty's Postmaster-General without his consent.

Power to
the Cor-
poration to
do subsidiary
works.

29. The sites of the lands and houses which may under the provisions of this Act be vested in the Corporation for street widenings and improvements shall when and as soon as the same shall be so vested in them be appropriated therefor and for ever thereafter form part of the public highways and shall be repaired and maintained and kept in order in such and the same way and manner as the highways in the city of Dublin under the control of the Corporation shall for the time being be by law repaired maintained and kept in order.

Ground in
widened
streets to
be public
highway.

30. In constructing the street widenings and improvements by this Act authorised the Corporation may deviate laterally from the lines thereof to any extent not exceeding the limits of lateral

Power to
deviate.

A.D. 1897. deviation shown on the deposited plans and may also deviate from the levels shown on the deposited sections to any extent not exceeding three feet.

Time for
completion
of street
widening
and improve-
ments.

31. If the street widenings and improvements by this Act authorised are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Act granted for the making thereof or otherwise in relation thereto shall cease except as to such of them or so much thereof respectively as is then completed.

Power for
the Cor-
poration to
borrow for
street
widening
and improve-
ments.

32. The Corporation may with the sanction of the Local Government Board from time to time borrow for the purposes of the street widenings and improvements by this Act authorised the sum necessary for such purpose and may raise such sum by the creation and issue of Corporation stock or by mortgage of any rate leviable by them subject to provision being made for the repayment of any sums so borrowed within such periods not exceeding sixty years from the respective dates of borrowing the same as the Local Government Board may from time to time direct.

Expenses of
execution
of Act.

33. All the expenses for the execution of the purposes of this Act so far as the same relate to the Corporation which are not otherwise provided for may be defrayed out of the borough fund and borough rate or out of the improvement fund or rate as the Corporation having regard to the objects of the expenditure may deem to be just and proper.

Prosecution
of offences.

34. All offences penalties costs and expenses under this Act or under any byelaw made in pursuance of this Act the prosecution and recovery of which is not otherwise provided for may be prosecuted and recovered in manner provided by the Summary Jurisdiction (Ireland) Acts and all penalties recovered by the Corporation under this Act shall (where not otherwise directed) be paid over to their treasurer and be carried to the credit of the improvement rate or of such other rate or fund as the Corporation may determine.

Power to
enter into
agreements.

35. The Trustees on the one hand and the Corporation or any other person or persons on the other hand may enter into agreements contracts conveyances and other deeds for carrying out the objects and purposes of this Act with reference to Saint Patrick's Park and otherwise in relation thereto or the other purposes of this Act.

36. Nothing in this Act contained shall take away any street market rights (if any such exist) on the roadway of Patrick Street. A.D. 1897.
Provided that nothing herein contained shall prevent the Trustees Saving for street market rights (if any).
from acquiring under the powers of this Act any land houses or buildings in or abutting on the said street or shall otherwise in any way interfere with or prevent the carrying out of the provisions of this Act.

37. The costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of Expenses of Act.
this Act shall be paid by the Trustees.

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