



ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

Cap. cccc.

An Act to extend the Powers of the Commissioners of Wide Streets, *Dublin*, to widen and improve certain Streets and Passages in the City and County of *Dublin*. [26th August 1846.]

WHEREAS an Act was passed in the Parliament of *Ireland* in the Thirty-first Year of the Reign of King *George* the Second, intituled *An Act for making a wide and convenient Way, Street, and Passage from Essex Bridge to the Castle of Dublin; and for other Purposes therein mentioned*: And whereas another Act was passed in the Parliament of *Ireland* in the Thirty-third Year of the Reign of King *George* the Second, intituled *An Act for amending an Act passed in the Thirty-first Year of His present Majesty's Reign, entitled 'An Act for making a wide and convenient Way, Street, and Passage from Essex Bridge to the Castle of Dublin; and for other Purposes therein mentioned;'* as also for amending another Act passed in the same Year, for widening and repairing or rebuilding *Baals Bridge in the City of Limerick*: And whereas another Act was passed in the Parliament of *Ireland* in the Seventh Year

[Local.] 81 Q Year

- 7 G. 3. (I.) Year of the Reign of King George the Third, intituled *An Act for further amending an Act passed in the Thirty-first Year of the Reign of His late Majesty King George the Second, entitled 'An Act for making a wide and convenient Way, Street, and Passage from Essex Bridge to the Castle of Dublin; and for other Purposes therein mentioned.'* And whereas another Act was made and passed in the Session of the Parliament of *Ireland* held in the Twenty-first and Twenty-second Years of the Reign of King George the Third, intituled *An Act for the Improvement of the City of Dublin, by making wide and convenient Passages through the same, and for regulating the Coal Trade thereof:* And whereas another Act was made and passed in the Session of the Parliament of *Ireland* holden in the Twenty-third and Twenty-fourth Years of the Reign of King George the Third, intituled *An Act for continuing and amending an Act passed in the Twenty-second Year of His present Majesty's Reign, entitled 'An Act for the Improvement of the City of Dublin, by making wide and convenient Passages through the same, and for regulating the Coal Trade thereof;'* and for other Purposes: And whereas another Act was made and passed in the Parliament of *Ireland* in the Twenty-sixth Year of the Reign of King George the Third, intituled *An Act for explaining and further amending the several Acts heretofore passed for the Improvement of the City of Dublin, by making wide and convenient Passages through the same; and for other Purposes:* And whereas another Act was made and passed in the Parliament of *Ireland* in the Twenty-seventh Year of the Reign of King George the Third, intituled *An Act for the further explaining and amending the several Acts now in force for making wide and convenient Passages in the City of Dublin:* And whereas another Act was made and passed in the Parliament of *Ireland* in the Thirtieth Year of King George the Third, intituled *An Act for further amending an Act, intituled 'An Act for continuing and amending an Act passed in the Twenty-second Year of His present Majesty's Reign, entitled "An Act for the Improvement of the City of Dublin, by making wide and convenient Passages through the same, and for regulating the Coal Trade thereof;" and for other Purposes.'* And whereas another Act was made and passed in the Parliament of *Ireland* in the Thirty-sixth Year of the Reign of King George the Third, intituled *An Act to ascertain the Powers of the Commissioners for making wide and convenient Streets in the City of Dublin, for opening the Passage from Sackville Street to Carlisle Bridge, and for laying out new Streets to the Eastward thereof; and to ratify certain Grants heretofore made by the said Commissioners:* And whereas another Act was made and passed in the Parliament of *Ireland* in the Thirty-ninth Year of the Reign of King George the Third, intituled *An Act to grant certain Duties therein mentioned to His Majesty, to be applied to the Purpose of making wide and convenient Ways, Streets, and Passages in the City of Dublin; and for enabling the Commissioners therein mentioned more effectually to execute the Trusts reposed in them:* And whereas another Act was made and passed in the Parliament of *Ireland* in the Fortieth Year of the Reign of King George the Third, intituled *An Act to amend and explain an Act passed in the Thirty-ninth Year of the Reign of His present Majesty, intituled 'An Act to grant certain*

' Duties therein mentioned to His Majesty, to be applied to the Purpose
 ' of making wide and convenient Ways, Streets, and Passages in the
 ' City of Dublin; and for enabling the Commissioners therein mentioned
 ' more effectually to execute the Trusts reposed in them: ' And whereas
 another Act was passed in the Forty-seventh Year of the Reign of
 King George the Third, intituled *An Act for improving and ren- 47 G. 3. c. 74.*
dering more commodious such Parts of the County and the 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; and for the Ap-
pointment of an Inspector of the Presentments and other Accounts of
the County of the City of Dublin: And whereas another Act was
 passed in the Fifty-seventh Year of the Reign of King George the
 Third, intituled *An Act to amend an Act passed in the Forty-seventh 57 G. 3. c. 39.*
Year of His present Majesty's Reign, 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; and for the Appointment
of an Inspector of the Presentments and other Accounts of the County
of the City of Dublin: And whereas another Act was passed in the
 Eleventh Year of the Reign of King George the Fourth, intituled
An Act to enable the Commissioners of Wide Streets to widen and 11 G. 4. &
improve certain Ways, Streets, and Passages in and about the City 1 W. 4. c. 118.
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 commo-
dious 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: And whereas another Act was passed
 in the First Year of the Reign of Her Majesty Queen Victoria, inti-
 tuled *An Act to extend, alter, and enlarge the Powers of several Acts 7 W. 4. &*
for enabling Commissioners of Wide Streets in Dublin to widen and 1 Vict. c. 127.
improve certain Ways, Streets, and Passages in the said City and
County of Dublin, and for raising further Funds to enable the said
Commissioners to carry the same into execution: And whereas an-
 other Act was passed in the Session of Parliament holden in the
 Fourth and Fifth Years of the Reign of Her said Majesty Queen
 Victoria, intituled *An Act for further extending the Powers of several 4 & 5 Vict.*
Acts for enabling the Commissioners of Wide Streets, Dublin, to c. 64.
widen and improve certain Ways, Streets, and Passages in the City
and County of Dublin, and for raising Funds to enable the said
Commissioners to carry the same into execution: And whereas the
 Improvements and Alterations specified and set forth in the said Act
 of the Fourth and Fifth Years of the Reign of Her present Majesty
 have been completed: And whereas an Act was passed in the last
 Session of Parliament, intituled *An Act for consolidating in One Act 8 & 9 Vict.*
certain Provisions usually inserted in Acts authorizing the taking of c. 18.
Lands for Undertakings of a public Nature, and called "The Lands
Clauses Consolidation Act, 1845:" And whereas it will tend much to
 the Convenience and Safety of the Inhabitants of the City of *Dublin,*
 as well as of the Persons frequenting the same, and to the Benefit of
 the Public in general, if the Ways and Passages herein-after particu-
 larly specified and referred to in the Maps herein-after mentioned,
 and

Recited Acts
extended to
this Act.

and in the Schedule to this Act annexed, be widened and improved: And whereas it is expedient to remove Doubts as to the true Construction of the said Acts in certain Instances, and to define more accurately the Jurisdiction of the said Commissioners under the same: May it therefore please Your Majesty that it may be enacted; and be it enacted, 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 the said several recited Acts, and all and every the Powers, Provisions, Matters, and Things therein contained, (save and except such Parts thereof as may be varied, altered, or repealed by this Act,) and subject to the Provisions hereinafter contained, shall be as effectual for carrying this Act into execution as if the same had been re-enacted in the Body of this present Act, and shall, save as aforesaid, extend to the following Purpose; that is to say, to widen and improve the Avenue known as *Corn Market* by the Removal of the Houses N^{os} 20, 21, 22, and 23, in the said Avenue, as the said several and respective Premises are more particularly described or delineated on Maps or Plans deposited with the Clerk of the Peace for the County of the City of *Dublin*, and with the Clerk or Secretary of the said Commissioners, and in the Schedule to this Act annexed.

Provisions of
8 & 9 Vict.
c. 18. incor-
porated with
this Act.

II. And be it enacted, That the Provisions of the "Lands Clauses Consolidation Act, 1845," with respect to the Purchase of Lands by Agreement, and with respect to the Purchase and taking of Lands otherwise than by Agreement, and with respect to the Purchase Money or Compensation coming to Parties having limited Interests, or prevented from treating, or not making Title, and with respect to the Conveyances of Lands, and with respect to the Entry upon Lands by the Promoters of the Undertaking, and with respect to Lands subject to Mortgage, and with respect to Lands charged with any Rent Service, Rent-charge, or chief or other Rent, or other Payment or Incumbrance not herein-before provided for, and with respect to Lands subject to Leases, and with respect to Interests in Lands which have by Mistake been omitted to be purchased, and with respect to Lands required by the Promoters of the Undertaking, under the Provisions of the said Lands Clauses Consolidation Act, 1845, or this Act, or any Act incorporated herewith, but which shall not be required for the Purposes hereof, shall be incorporated with this Act, save so far as they shall be expressly varied or excepted by this Act.

Powers
vested in
Commis-
sioners by
recited Acts
to be given
to Commis-
sioners for
carrying into
Execution
this Act.

III. And be it enacted, That all the Powers and Authorities given to or invested in the said Commissioners or their Successors, or Three or One of them, by the said Acts or any of them respectively, for the Purpose of carrying the said several Acts or any of them into execution, shall, subject to the Restrictions and Regulations herein contained, be given to and vested in the said Commissioners or their Successors, or any Three or One of them, as the Case may be, for carrying this Act into execution; and the said Commissioners or their Successors, or any Three or One of them, shall have and enjoy the like Rights, Privileges, and Immunities, and shall be subject and liable to the like Rules, Regulations, and Restrictions, for the Purpose
of

of carrying this Act into execution, as the said Commissioners and their Successors, or any Three or One of them, have and enjoy, or hath and enjoys, and are subject and liable to, for the Purpose of carrying the said recited Acts or any of them into execution, except only so far as the same or any of them are altered or affected by this present Act.

IV. And be it enacted, That the Powers of the said Commissioners for the compulsory Purchase or taking of Messuages, Houses, Buildings, or Lands for the Purposes of this Act shall not be exercised after the Expiration of Seven Years from the passing thereof.

Compulsory Purchase of Lands, &c. limited.

V. Provided always, and be it enacted, That the said Improvement specified in this Act shall not be prosecuted, undertaken, commenced, or carried on by the said Commissioners until they shall have first obtained the Approbation and Consent for such Improvement specifically of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to be applied for and obtained on or before the First Day of *March* One thousand eight hundred and forty-seven, and to be notified in Writing by his or their Chief Secretary, or, in the Absence of such Chief Secretary, by the Under Secretary for the Time being.

Improvement not to be commenced without Consent of the Lord Lieutenant.

VI. And be it enacted, That whensoever the said Commissioners shall have come to an Agreement for the Purchase of any Houses, Buildings, Premises, or Grounds, or shall have caused any Houses, Buildings, Premises, or Grounds to be valued for the Purpose of the Improvement authorized by this Act, they shall from Time to Time, on the First Day of any *Easter* or *Michaelmas* Term, lay before the Court of Queen's Bench a Certificate, signed by Three or more of the said Commissioners and by the Secretary of the said Commissioners, of the Sums so agreed upon, or Copies of the several and respective Awards, Inquisitions, and Findings of the Value of the Houses, Buildings, Premises, and Grounds so valued, as the Case may be; and the said Court shall in every such Case charge the Grand Jury of the County of the City of *Dublin* to meet at a certain Time to be named by the Court, and such Grand Jury, so assembled, or any Twelve or more of such Grand Jurors, shall and they are hereby required to present the Amount of such Agreements or Findings so laid before them, and the Sum or Sums so from Time to Time presented shall be assessed, raised, and levied on and out of all Lands, Houses, and Tenements liable to Grand Jury Cess within the Borough of *Dublin* under any such Presentment, by Two equal Instalments, one Instalment every *Easter* Term, and the other Instalment every *Michaelmas* Term; and for the better raising of such Instalments it shall be lawful for the said Grand Jury so assembled, or any Twelve or more of such Grand Jurors, to present, rate, and assess on all such Lands, Houses, and Tenements any Sum or Sums of Money, not exceeding Four-pence in the Pound in any One Year on the Value of all such Houses, Lands, or Tenements respectively, as the said Houses, Lands, and Tenements are now or hereafter may be rated for or towards the Maintenance of the Metropolitan Police Establishment of *Dublin*, and the several Parts thereof respectively; and every such

Commissioners to lay before Queen's Bench Certificates of Awards, &c. of the Value of Houses, &c.

Grand Jury to present the Amount of the same, which shall be assessed upon all Lands, &c. liable to Grand Jury Cess.

Presentment, Rate, or Assessment so made under the Provisions of this Act shall be signed by Twelve of such Grand Jurors, and when so signed shall be fiated by the Court.

Treasurer of
City of
Dublin to
apportion
Rate, and
issue War-
rants.

VII. And be it enacted, That the Treasurer of the County of the City of *Dublin* shall, within Fourteen Days after *Michaelmas* Term in this present Year, and within the like Period after every *Easter* and *Michaelmas* Term in every succeeding Year, and he is hereby required, to assess such Rates, in the Manner by the said Acts directed, on such Lands, and on such Houses and Tenements erected or to be erected as are hereby liable thereto, and on the respective Owners and Occupiers thereof, and to insert the said Assessments in Warrants, and to deliver the same to the respective Collectors of Grand Jury Cess in the County of the City of *Dublin* for the Time being, to be by them collected and levied forthwith, in like Manner as the Amount of Inquisitions under the said recited Acts have been heretofore assessed and collected, and all the Provisions of said recited Acts shall apply and extend to the levying of such Rates to be made under the Provisions of this Act, save as the same may be altered by this Act.

Rate not to
exceed a
certain
Amount.

VIII. Provided always, and be it enacted, That it shall not be lawful for the said Commissioners of Wide Streets to collect or levy any Presentment heretofore made or which shall hereafter be made by any greater Sum than Four-pence in the Pound in any One Year on the Value of all Houses, Lands, or Tenements within the Borough of *Dublin*, as the same may be valued or rated for or towards the Maintenance of the Police Establishment.

Officer to
make Re-
turns of
Valuation of
Lands.

IX. And be it enacted, That the Treasurer of the County of the City of *Dublin* shall, Thirty Days at least previous to the first Day of *Michaelmas* Term next after the passing of this Act, demand from the proper Officer a Copy of the Valuation of all such Lands, Houses, and Tenements as aforesaid, according as the same are or shall be valued for the said Police Tax, which the said Officer is hereby empowered and required to give to such Treasurer within Twenty Days after such Demand; and such Treasurer shall forthwith divide such Valuation into Parochial Lists or Divisions, according to the respective Parishes, or Parts thereof, in which the Houses, Lands, and Tenements contained therein are situate respectively; and the said Treasurer shall thenceforward, Twenty Days at the least before each Presenting Term, call upon the said Officer to furnish him with a Copy or Schedule of all such Alterations or Variations in the said Valuation for the said Police Tax as shall have been made from Time to Time, and which said Officer is hereby required in like Manner to furnish to such Treasurer, who shall from Time to Time amend such Assessment accordingly; and the said Treasurer shall thereupon assess the Sum or Sums to be raised upon the several Parishes, or Portions thereof, liable to contribute to such Assessment, according and in Proportion of their respective Valuation in such general Valuation or Assessment for the said Police Tax; and in the event of the said Treasurer neglecting so to demand and make such Assessment, or
in

in the event of said Officer refusing or neglecting to comply with such Demand within the Period aforesaid, such Treasurer or Officer so in default shall for every such Default forfeit and pay any Sum not exceeding Twenty Pounds to any Person who shall sue for the same by Civil Bill.

X. And be it enacted, That it shall and may be lawful for the Grand Jury of the County of the City of *Dublin* to present a reasonable Sum to be paid to such Officer as and for the Expences of preparing such Copy of the said Police Tax Valuation, or of any Alterations or Corrections therein from Time to Time. Grand Jury to present a Sum for preparing such Returns.

XI. And be it enacted, That it shall and may be lawful to and for the said Commissioners of Wide Streets to apply the several Sums which they shall or may become possessed of under and by virtue of this Act towards the Payment of the Costs and Expences which the said Commissioners shall have incurred in obtaining this Act, and in carrying the same into execution; and that it shall be lawful for the said Commissioners, on the first Sitting Day of any *Easter* or *Michaelmas* Term after the passing of this Act, from Time to Time to lay before the Court of Queen's Bench an Account, signed by Three or more of them, showing the Sum due on account of such Costs and Expences, or the Balance thereof; and the said Court of Queen's Bench shall in each and every such Case charge the Grand Jury of the County of the City of *Dublin* to meet at a certain Time to be named by the Court; and such Grand Jury, or any Twelve or more of them, shall and are hereby required to present the Amount of such Expences, and the same when so presented shall be assessed, raised, and levied on and out of such Lands, Houses, and Tenements as aforesaid, and the same shall be raised and collected in the like Manner, with the like Remedies for the Recovery thereof, as the half-yearly Rates herein-before mentioned. Expences of Act.

XII. And whereas Doubts have arisen as to the proper Construction of the herein-before recited Act passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, Cap. 19: And whereas it is expedient that such Doubts should be removed; be it therefore enacted, That when any new Street, Square, or Passage or Place, or any Extension of or Addition to any Street, Square, Passage, or Place now existing, or any new Building, Alteration, or Projection or Improvement in anywise affecting the Building Line of any such new Street, Square, Passage, or Place, or of any Street, Square, Passage, or Place now existing, situate within the Jurisdiction of the said Commissioners, whether such Street, Square, Passage, or Place shall have been approved of by the said Commissioners or not, is or are about to be made or built, the Person or Persons about to make or build the same, or any of them, shall serve Notice in Writing, signed by the said Party or Parties, upon the Secretary of the said Commissioners, or at his Office, at least Fourteen Days previous to any such Street, Square, Passage, Place, Extension, Addition, Building, Alteration, Projection, or Improvement being commenced as aforesaid, together with a Plan of such intended Street, Square, Passage, Explaining Act of 30 G. 3. (I.) with reference to laying out new Streets or Buildings.

sage, Place, Extension, Addition, Building, Alteration, Projection, or Improvement; and if such Person or Persons shall neglect to serve such Notice as aforesaid, at or before the Time aforesaid, he or they shall forfeit the Sum of One hundred Pounds, to be recovered by Action, Bill, Complaint, or Information.

Com-
missioners em-
powered to
approve of
Map or Plan
laid before
them.

XIII. And be it enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, if they shall think fit, to approve of the said Map or Plan so laid before them, such Approbation to be signified in Writing by Three of the said Commissioners and by their Secretary as aforesaid; and in the event of the said Commissioners not approving of the said Map or Plan as aforesaid, then and in such Case the said Commissioners are hereby required, within Ten Days next after the Service of such Notice, to lay out the Line of such new Street, Square, Passage, or Place, or of any such Extension of or Addition to any Street, Square, Passage, or Place now or then existing, or of such new Building, Alteration, or Improvement affecting the Line of the said Street as aforesaid, or to lay out the Line thereof; and in case such Line shall be laid out by them, a Map or Plan thereof as so laid out shall be made by the said Commissioners, or by some Person authorized by them, and such Map or Plan shall be thereupon signed by Three or more of the said Commissioners, and deposited with the Secretary of the said Commissioners, to which Map all Parties interested shall have Access at all reasonable Times, with Liberty, at his or their own Expence, to make Copies thereof or take Extracts therefrom; and all such new Streets, Squares, Passages, or Places, and all such Extensions or Additions to any Street, Square, Passage, or Place, now or then in whole or in part existing, and all such new Buildings, Alterations, Projections, or Improvements affecting the Line of any Street, Square, Passage, or Place, shall be made and built in the Line so approved of or laid out by the said Commissioners as aforesaid; and in case any new Street, Square, Passage, or Place, or any Extension of or Addition to any Street, Square, Passage, or Place, now or then in whole or in part existing, or any new Building, Alteration, Projection, or Improvement, shall be hereafter made, erected, or built in any Street, Square, Passage, or Place, without the Consent or Approbation of the said Commissioners, to be signified in Writing signed by Three or more of the said Commissioners and their Secretary for the Time being, then and in each and every such Case it shall and may be lawful to and for the said Commissioners or any Three or more of them to proceed for the Penalty, and to abate the same in manner as in the said Act herein-before mentioned.

Consent of
Com-
missioners not
required on
rebuilding
existing Pre-
mises on Sites
of former
Buildings.

XIV. Provided always, and be it enacted, That nothing in this Act contained shall extend or apply to prevent any Person or Persons who shall cause or shall have caused to be pulled down any Building or Buildings now or heretofore made or existing within the Jurisdiction of the said Commissioners, from making, erecting, or building any new House or Houses, Building or Buildings, on the Site of such former Building or Buildings, or to require or render it necessary that any Notice shall be given to the said Commissioners or their Secretary

in reference to such House or Houses, Building or Buildings, as last aforesaid, or that any Consent or Approbation of the said Commissioners shall be obtained for the making of the same, or to confer on the said Commissioners any Power or Authority for preventing or interfering with the making of the same.

XV. And be it enacted, That this Act shall be deemed and taken Public Act. to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

XVI. And be it enacted, That the Powers by this Act and by the Act may be recited Acts granted shall be subject to the Provisions of any Act to altered, &c. be passed in this or any future Session of Parliament.

The SCHEDULE to which the foregoing Act refers.

CORN MARKET IMPROVEMENT.

Description of Premises.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Dwelling House and Premises, N° 20, Corn Market.	John North Bonyngé	Thomas Dunne -	Patrick Healy.
Dwelling House and Premises, N° 21, Corn Market.	Ditto - -	Ditto - -	Patrick Dillon.
Dwelling House and Premises, N° 22, Corn Market.	Richard Annesley Simpson.	Ditto - -	Thomas Dunne.
Dwelling House and Premises, N° 23, Corn Market.	Margaret Alcock and Harry Alcock.	Joseph Byrne, Admi- nistrator of Peter Larkin.	Patrick Moran.

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