

INCUMBERED ESTATES COURT (IRELAND).

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RETURN to Two Orders of the Honourable The House of Commons,  
dated 10 March and 21 March 1854;—for,

(ORDER, 10 March 1854.)

COPY “of any OFFICIAL STATEMENT, LETTER, RESOLUTION, or MINUTE of the Lord Chancellor of *Ireland*, the Benchers of the Dublin King’s Inns, the Government of *Ireland*, or the Commissioners of Her Majesty’s Treasury, relating to the Removal of the OFFICES of the INCUMBERED ESTATES COURT from Henrietta Street to the Four Courts.”

(*Mr. Vincent Scully.*)

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(ORDER, 21 March 1854.)

RETURN “of the Number of APPEALS from the INCUMBERED ESTATES COURT, *Ireland*, to the PRIVY COUNCIL, *Ireland*, from the 1st day of May 1852 to the 20th day of March 1854; and of the REVERSALS and AFFIRMATIONS of such APPEALS, separately stated, with the Names of the Parties in each Case.”

(*Mr. Whiteside.*)

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Ordered, by The House of Commons, to be Printed,  
11 April 1854.

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COPY of any OFFICIAL STATEMENT, LETTER, RESOLUTION, or MINUTE of the Lord Chancellor of *Ireland*, the Benchers of the Dublin King's Inns, the Government of *Ireland*, or the Commissioners of Her Majesty's Treasury, relating to the Removal of the OFFICES of the ENCUMBERED ESTATES COURT from Henrietta-street to the Four Courts.

Sir,

Irish Office, 10 February 1854.

Numerous representations having been made to the Lord Lieutenant of the necessity which exists for providing increased accommodation to the Court and Offices of the Encumbered Estates Commissioners, I am directed by his Excellency to transmit, for the consideration of the Lords Commissioners of Her Majesty's Treasury, the accompanying copies of a report from the Architect of the Board of Works, with the resolutions of the Benchers of the King's Inns on the subject; and the Lord Lieutenant recommends to their Lordships' favourable attention the proposals contained in the latter paragraph of the report to erect a court-house and suitable offices on the vacant ground in the rear of the Four Courts, adjoining the buildings already existing. The total cost is roughly estimated at 11,000 £.

It appears to his Excellency highly desirable that every suitable accommodation should be afforded to the Bar and public in attending the important proceedings of this court, and he would have refrained from recommending this outlay if he did not consider that the public convenience imperatively required it.

To James Wilson Esq., M. P.

I am, &c.

(signed)

*John Young.*

Sir,

Court of Chancery, January 1853.

In reference to the communication which you have made to me, by desire of the Lord Lieutenant respecting the proposed removal of the offices of the Commissioners of the Encumbered Estates Court from Henrietta-street to the Four Courts, I have the honour to acquaint you, for the information of his Excellency, that having laid the communication before a meeting of the Benchers on the 9th instant, they came to the resolution, of which a copy is enclosed herewith.

To Major Larcom, R. E.

I have, &c.

(signed)

*Maziere Brady.*

TRINITY VACATION, Saturday, 9 July 1853.

At a Council of the Benchers of the Honourable Society of King's Inns, this day holden in their chamber at the Four Courts, to consider a communication from the Government respecting the removal of the offices of the Commissioners of the Encumbered Estates Court to the Four Courts, it was

Resolved,—That the Lord Chancellor be authorised to state to the Lord Lieutenant that they have taken into consideration the communication directed by his Excellency to be made to him respecting the removal of the offices of the Commissioners of Encumbered Estates from their present site in Henrietta-street to the Four Courts.

That having considered the same, and conferred with the Chief Commissioner of the Encumbered Estates Court, and with the Architect of the Board of Works, they find that the amount of accommodation now afforded, and necessarily required for those offices in the houses taken for that purpose in Henrietta-street, could not be provided in any part of the existing buildings at the Four Courts, and that it would therefore be necessary, in order to effect the desired removal, that new buildings should be erected.

For

For this purpose there is an adequate space of vacant ground on which such buildings could be erected adjacent to the existing buildings at the Four Courts.

This ground is the property of the Benchers, but they have, in reference to the erection of buildings for the public records, already intimated their willingness to dedicate a sufficient portion of it to the public use, and it can accordingly be appropriated as a site for the proposed buildings if thought desirable; these buildings of course to be erected and maintained at the public expense, on a plan to be submitted to and approved of by the Benchers.

MEMORANDUM for the information of the Chairman respecting the Court and Offices of Encumbered Estates Commissioners, showing the extent of Accommodation at present afforded, and necessary for the conducting of the several Branches of the Office.

No. 14, Henrietta-street, is the house first taken for this purpose.

The basement of this house is occupied by the housekeeper; on the ground floor is the entrance-hall and staircase,  $19\frac{1}{2}$  by  $16\frac{1}{2}$ ; also the Chief Commissioner's Public Office, 25 feet by 20 feet, with a private chamber adjoining, for himself and a clerk,  $19\frac{1}{2}$  by 15 feet; and the Examiners' Office, 25 by 21 feet. On the one pair floor, the Second Commissioner has an equal extent of accommodation. On the third pair floor, the Third Commissioner has the same, with an additional large room for the auction clerk.

In the attics are four rooms, chiefly occupied by the housekeeper. In the rear, the stable and coach-house has been converted into a court for conducting the sales, 30 by 29 feet; a private chamber for the Commissioners, and a small room for the Bar, with a covered passage of communication for the public, and a private passage for the Commissioners.

The house, No. 14, being found inadequate to afford the accommodation required for the rapidly increasing duties of the office, an additional very large house was taken immediately opposite the foregoing, viz.:

No. 4, Henrietta-street.

The basement of this house is only occupied by servants employed by the housekeeper.

On the Ground Floor is the

Hall and Staircase	-	-	-	-	-	-	21 by 16 feet.
The General Clerk's and Notice Office	-	-	-	-	-	-	{ Front room 21 by $19\frac{1}{2}$ feet.
							{ Back room 30 by $19\frac{1}{2}$ feet.
And Waiting Room	-	-	-	-	-	-	19 by $19\frac{1}{2}$ feet.

The One Pair Floor:

Secretary's Office	-	-	-	-	-	-	21 by $19\frac{1}{2}$ feet.
Register and Public Office	-	-	-	-	-	-	30 by $19\frac{1}{2}$ feet.
Secretary's Private Office	-	-	-	-	-	-	12 by $19\frac{1}{2}$ feet.

Two Pair Floor:

The Masters' Public Office and Chamber.

The Accountant's Office and General Clerks' Office.

Third Pair Floor fitted up for records, title deeds, &c.

The stable and coach-houses in rear have been fitted up at a large expense.

The basement is made fire-proof for the safe custody of title deeds, &c.

The Ground Floor, one large office and one small office for the keeper of the deeds; an office for the taxing master, and two offices for writing clerks, all of which

which appear fully occupied. It has been suggested, with a view to providing accommodation for this department near the courts, that some of the vacant houses in Pill-lane might be obtained for the purpose, and that a bridge might be constructed over the street to afford a direct and speedy communication with the courts. This might no doubt be done, but it would be by no means either convenient or desirable.

None of the houses in their present state could be made available for the purpose without being taken down and rebuilt, and to afford suitable accommodation for the number of vehicles constantly attending this office, a new building must be set back, so as to widen the street, and it would take as much time to provide offices in this situation as to build entirely new offices in another position, besides the disadvantage of having no basement story for want of drainage.

Under these circumstances, it would appear more eligible to erect a court and suitable offices on the vacant ground in the rear of the Four Courts, adjoining to the buildings already existing; this is the property of the Benchers, but as it is understood to have been purchased by them for the purpose of affording improved accommodation to their profession, there is no doubt that it would be granted for the purpose.

If this arrangement should be deemed desirable, and as it is understood that the Benchers have large funds at their disposal, they may probably be induced to apply a portion of them to the erection of the buildings in question.

(signed) *J. Owen.*

Architect's Office,  
30 June 1853.

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COPY of a TREASURY MINUTE, dated 21 March 1854.

WRITE to the Chief Secretary for Ireland that my Lords have had under their consideration his letter, dated the 10th ultimo, enclosing copies of resolutions of the Benchers of King's Inns, and of a report from the Architect of the Board of Works, and conveying the recommendation of the Lord Lieutenant that a court-house and suitable offices for the Encumbered Estates Commission should be erected in the rear of the Four Courts, adjoining the buildings already existing.

My Lords observe that, as the law now stands, the Encumbered Estates Commission will terminate about August 1858, and as the cost of the new buildings is roughly estimated at 11,000*l.*, and would probably amount to more, the public would, in the event of the Commission ceasing at that time, have spent a large sum of money with small advantage from it.

The Architect of the Board of Works states that the Benchers of the King's Inns have large funds at their disposal, and as the ground is also theirs, and they would be able to turn to permanent account any buildings that might be erected on it, my Lords suggest that it would be a more suitable arrangement that the court-house and offices should be erected by the Benchers, and that the Crown should pay a fair rent for them as long as they are required for any public purpose.

A RETURN of the Number of APPEALS from the ENCUMBERED ESTATES COURT, *Ireland*, to the PRIVY COUNCIL, *Ireland*, from the 1st day of May 1852 to the 20th day of March 1854; and of the REVERSALS and AFFIRMATIONS of such APPEALS, separately stated, with the Names of the Parties in each Case.

No.	Name of Appellant.	In the Matter of the Estate of	Decision on Order of the Commissioners appealed against.
1	Richard Gradwell -	- - John Netterville Blake, owner, ex parte John Arthur Wynne and another, petitioners.	- - Order affirmed; appeal dismissed.
2	Corporation for preserving and improving the Port of Dublin.	- - Richard Williams, owner, ex parte Elizabeth Roddy, petitioner.	- - Order affirmed; appeal dismissed.
3	The Northern Banking Company.	- - Henry Love, owner and petitioner.	Order partly reversed.
4	Henry Love - -	- - Henry Love, owner and petitioner.	Order partly reversed.
5	John Hely Owen and Rev. Edmund Kavanagh.	- - Lawrence Webb Nolan, owner, ex parte John Hely, owner, and Patrick Coyne, petitioners.	- - Order reversed; appeal confirmed.
6	Timothy Blake Egan	- - Timothy Blake Egan, owner, ex parte Marcus Daly, petitioner.	- - Order affirmed; appeal dismissed.
7	Thomas O'Shaughnessy.	- - William Kelly Wilton, owner, ex parte John Rorke, petitioner.	- - Order affirmed; appeal dismissed.
8	Xaverius Blake (a minor).	- - Walter Blake, owner, ex parte Michael Joseph Barry and William Keogh, petitioners.	- - Order affirmed; appeal dismissed.
9	George Eakins Browne (a minor).	- - George Eakins Browne, owner, ex parte John Cheevers, petitioner.	- - Order reversed; appeal confirmed.
10	Joseph Dullaghan -	- - William Cairns, assignee of John Derepas, owner, ex parte Thomas Christie, petitioner.	- - Order affirmed; appeal dismissed.
11	Thomas Byrne -	- - James Scott Molloy, assignee of William and Lawrence Monaghan, owners, ex parte Thomas Byrne, petitioner.	- - Order reversed; appeal confirmed.
12	Dillons (minors), by Crofton Fitzgerald, guardian.	- - Hercules Robinson, owner and petitioner.	- - Order affirmed; appeal dismissed.
13	The Guardians of the Poor of Tipperary Union.	- - Trustees of the settlement of Vere Dawson Hunt, owners and petitioners.	- - Order affirmed; appeal dismissed.
14	The Guardians of the poor of Mohill Union.	- - Acheson O'Brien, owner, ex parte John King, petitioner.	- - Order affirmed; appeal dismissed.
15	The Guardians of the Poor of Clifden Union.	- - John Augustus O'Neill, owner, William D. Le Grand, petitioner.	- - Order affirmed; appeal dismissed.
16	Anne Mary Jennings	- - Richard Jennings, owner, ex parte Samuel Simeocks and Elizabeth Jennings.	Order reversed.
17	Martin and Nicholas Mahony.	- - Richard Lalor, owner and petitioner.	- - Order affirmed; appeal dismissed.
18	Dorothea Putland -	- - William Graydon, owner, ex parte Dorothea Putland, petitioner.	- - Order affirmed; appeal dismissed.
19	John Drew Atkin -	- - James Foott, owner, ex parte William Foott, petitioner.	- - Order affirmed; appeal dismissed.



No.	Name of Appellant.	In the Matter of the Estate of	Decision on Order of the Commissioners appealed against.
20	Thomas Byrne -	-- James Scott Molloy, assignee of William and Lawrence Monaghan, owner, ex parte Thomas Byrne, petitioner.	-- Order affirmed; appeal dismissed.
21	William J. F. Ryves	-- William Ryves, owner, ex parte Thomas Wise, petitioner.	Order reversed.
22	Benjamin Lee Guinness, William Todd, Alexander Ferrier, Alexander Findlater, Gilbert Burns, Thomas Heiton, and William Vance.	-- The trustees of the estate of the late Earl of Blessington; and of James Scott, assignee of John Gardiner, an insolvent, and of Lady Harriette Cowper, owners, ex parte James Nixon, petitioner.	Order reversed.
23	Thomas Elder Henry, James Henry, M.D., Alexander Crothers, Richard Barrington, and Edward Barrington.	-- The trustees of the estate of the late Earl of Blessington; and of James Scott, assignee of John Gardiner, an insolvent, and of Lady Harriette Cowper, owners, ex parte James Nixon, petitioner.	Order reversed.
24	Bernard William Bagot.	-- Mary Anne Mitchell, and another, owners, ex parte Charlotte Crampton, petitioner.	Order reversed.
25	William Beere Fox -	-- Arthur Samuel Judge, a minor, and William Despard, owners, ex parte William B. Fox, petitioner.	Order reversed.
26	George Gowan -	-- Samuel Sturgis, assignee of Sir Thomas Howland Roberts, Bart., an insolvent, owner, ex parte Luke Joseph Shea, petitioner.	Order reversed.
27	Adam John Mac Rory.	-- Assignee of the Rev. Gustavus Warner, owner, Alicia Tate, petitioner.	-- Ordered to stand over generally, having been fully heard.
28	Eleanor Davies, and others.	Geoffrey Davis - - -	<p>The appeals numbered 28 to 42 inclusive have been lodged since the last sitting of the Judicial Committee in November 1853, and have not therefore been adjudicated upon.</p> <p>The Judicial Committee of the Privy Council have appointed Tuesday the 4th of April next, and ensuing days, to hear these appeals.</p>
29	John Busteed -	Ellen Connor - - -	
30	Mary Cockburn -	William Phibbs - - -	
31	Matthew Brinkley -	William Graydon - - -	
32	Rev. E. Moore, and others.	Henry Moore - - -	
33	Arthur L. Annesley -	Christopher O'Brien, and others	
34	Theobald Billing -	James Joyes and Mary Joyes	
35	Theobald Billing -	-- Edmund John Concannon, and others.	
36	Selina and Isabella O'Dell.	Selina and Isabella O'Dell -	
37	John Prendergast -	Frances K. and James Egan -	
38	Richard Smithwick -	Richard B. H. Lowe - -	
39	Harriette Wyse -	George Wyse and others -	
40	William Vesey, F. Hickman.	-- William Vesey Fitzgerald Hickman.	
41	Loftus H. Bland -	The Earl of Aldborough -	
42	The executors of John Staunton.	Mary Jane Grady - -	

Council Office, Dublin Castle,  
25 March 1854.

Theobald M'Kenna,  
Clerk of the Council.

INCUMBERED ESTATES COURT  
(IRELAND).

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COPY of OFFICIAL STATEMENT, &c., relating  
to the Removal of the OFFICES of the INCUM-  
BERED ESTATES COURT from Henrietta-street  
to the Four Courts.

(*Mr. Vincent Scully.*)

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RETURN of the Number of APPEALS from  
the INCUMBERED ESTATES COURT, *Ireland*,  
to the PRIVY COUNCIL, *Ireland*, from 1 May  
1852 to 20 March 1854; with REVERSALS  
and AFFIRMATIONS of such APPEALS, and  
Names of the Parties in each Case.

(*Mr. Whiteside.*)

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