ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

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C A P. CIX.

An Act to annex certain Parts of certain Counties of Cities to adjoining Counties; to make further Provision for Compensation of Officers in Boroughs; to limit the Borough Rate; and to continue for a limited Time an Act to restrain the Alienation of Corporate Property in *Ireland*.

[10th *August* 1840.]

WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, it is enacted, that the Boundaries 3 & 4 Vict. c. 108. of the several Boroughs named in the Schedule (A.) to that Act annexed shall, for the Purposes of that Act, be taken to be according to the Description of such Boundaries set forth in Schedule (C.) to that Act annexed: And whereas certain Parts of the Counties of the Cities of *Cork*, *Dublin*, *Kilkenny*, *Limerick*, and *Waterford*, and of the County of the Town of *Drogheda*, are not under that Act included within the said Boundaries, and are not by the said Act, for any Purposes other than the Purposes of the said Act, annexed to any County or Counties at large; be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the

Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, for the Purposes of the said recited Act (and of this Act), all Places locally situate or included within the Boundaries of any of the said Boroughs, or of any Ward thereof, as defined under the said Act, shall, from and after the Time when this Act shall come into operation as herein-after mentioned, be deemed and taken to be Part or Parts of the County of the City or County of the Town of such Borough respectively, or of such Ward thereof respectively, and of no other County; and every Portion, Place, or Precinct of every County of a City or County of a Town, not under the said Act and this included within any such Borough, shall, until Provision in that Behalf shall be otherwise made under and by virtue of this Act, be One Barony in itself, and shall, for all Purposes of Grand Jury Presentments and of Criminal Jurisdiction, and also of Civil Jurisdiction of the Superior Courts of Common Law in *Dublin*, be Part of the County at large which is adjacent to it, or with which it has the largest common Boundary: Provided always, that nothing in this Act contained shall alter or affect any City or County of a City, Town or County of a Town, or Borough, or the Boundaries thereof, for any Purposes of Parliamentary Representation, or for any Purpose relating thereunto; and that where it is or shall be necessary, for any Purpose of such Representation, to describe any Residence or Premises or Place, in any Oath, Affidavit, or Document, or otherwise, as within a City or County of a City, or Town or County of a Town, such Residence, Premises, or Place may be described as within the Parliamentary Boundaries of the City or Town respectively; Provided nevertheless, that if any Place or Precinct, which for the Purposes and under the Provisions of the said Act and this Act shall not be Part of such Borough, shall have been liable, before the passing of the said Act and this Act, to contribute to any Rate which shall have been or ought to have been, or if the said Act and this Act had not been passed would or ought to be, made for the Purpose of satisfying any lawful Debt to which the Rate-payers of such Borough or of any County were liable to contribute before the passing of the said Act and this Act, and in case any Difference shall arise concerning the Proportion of such Debt which ought therefore to be paid and contributed in respect of such Place or Precinct, or concerning the Instalments by which, or otherwise concerning the Manner in which, the same ought to be paid, raised, levied, or apportioned, it shall be lawful for the Chief Justice of Her Majesty's Court of Queen's Bench in *Dublin* in the Case of the County of *Dublin* and the County of the City of *Dublin*, and in the Case of any other County for the Senior Justice of Assize for the County of which such Place or Precinct shall thenceforward be taken to be Part, on his Circuit, on the Application of the Council of such Borough, or of the Chairman of a public Meeting of the Rate-payers of such Place or Precinct, to appoint, by Writing under his Hand, a Barrister, not having any Interest in the Question, to arbitrate between the Parties, and by his Award under his Hand and Seal to assess the Proportion, if any, of such Debt which ought therefore to be paid and contributed in respect of such Place or Precinct, and to determine the Manner in which the same ought to be apportioned between such Borough and such Precinct or Place respectively, and in which the Interest (if any) payable in respect of such

Defining what Places only shall be included within the Boundaries of certain Boroughs for the Purposes of the recited Act and this Act.

Not to affect the Parliamentary Boundaries;

For apportioning the Debt to which the Ratepayers of any such Borough or County were liable before the passing of the recited Act and this Act.

Debt ought to be provided for, and such Arbitrator shall also assess the Costs of the Arbitration, and shall direct by whom, and in what Proportion, and out of what Fund, the same shall be paid; and such Rate as aforesaid shall be levied by Warrant of the Treasurer of the County of the City or County of the Town of such Borough, and paid by such Place or Precinct, as if the said Act and this Act had not passed, until such Proportion shall have been fully paid and satisfied to the Treasurer of the County of the City or the County of the Town of such Borough, and no longer: Provided also, that every County Gaol, House of Correction, or Lunatic Asylum, or Court of Justice, which at the Time of the passing of this Act is taken to be for any Pupose within any County, shall still for all such Purposes be taken to be within such County, any thing herein contained to the contrary notwithstanding.

Proviso for County Gaols, &c.

II. And be it enacted, That it shall be lawful for the Grand Jury of any County at large to which any Part or District of any County of a City or County of a Town shall be added by virtue of this Act, or for Twenty or more Cess-payers of such Part or District, to apply by Memorial to the Lord Lieutenant and Council, in order that such Part or District, or any Portion or Portions thereof, may be annexed to some adjoining Barony or Baronies of such County; and such Grand Jury or Cess-payers shall specify in such Memorial in what Manner they propose that such Annexation shall be made, and, if they shall so think fit, in what Proportion and according to what Valuations the Barony or Baronies to which Addition shall be proposed by such Memorial to the Council shall be assessed or applotted to Grand Jury Cess; and thereupon the Lord Lieutenant and Council shall from Time to Time make such Order or Orders as to them shall appear just touching the Subject Matter of such Petition, and in so doing shall settle and define the Boundaries of the Barony or Baronies to which such Addition shall be made; and the Grand Jury of such County, and also the Lord Lieutenant and Council, are hereby empowered, if they shall respectively deem fit, to employ a Surveyor or Surveyors to examine and report upon the Circumstances and Value of such Barony or Baronies and such Part or District as aforesaid, and to order the Expences of such Examination and Report to be paid; and the Grand Jury of such County which shall assemble next after such Order shall and they are hereby required to present the Amount of such Expences to be raised off such County and paid out of the Grand Jury Cess thereof; and the Grand Jury of such County are hereby empowered to present to be so raised and paid all such further Expences as shall be incurred by them or by any former Grand Jury or their Officers in and about the procuring of such Annexation as aforesaid.

Provision for annexing Districts cut off from any Borough to adjoining the Baronies.

III. And be it enacted, That in every Case in which any Place shall be added to or taken from any County at large by virtue of this Act it shall be lawful for the Grand Jury of such County from Time to Time, with the Approbation of the Court of Queen's Bench in the Case of the County of *Dublin*, and of the Judge or Judges of Assize in the Case of any other County, to adjust or alter the Proportions in which, the Valuations according to which, the Place so added to such

Grand Jury, with Approval of Judge, to adjust Proportions of Grand Jury Cess.

such County, and every Townland or other Denomination or Sub-denomination thereof, shall contribute to the Grand Jury Cess of such County, and the Proportions in which the Barony or Half Barony or other District from which any Place shall be so taken away shall so contribute, or in which any Barony, Half Barony, or District which shall not sustain any Increase or Diminution by any such Change ought to contribute by reason of such Change: Provided always, that it shall be lawful for the Grand Jury of any such County at large to direct that such Proportions and Valuations as aforesaid shall be entered in the County Books of such County, and thereupon the same shall be so entered accordingly, and shall, until further altered or adjusted in pursuance of this Act or of some other Act, be the Proportions and Valuations according to which the Warrant of the Treasurer of such County shall be made with respect to those Places to which such Valuations or Proportions shall relate: Provided always, that in every Case in which any Valuation made or to be made by virtue of an Act passed in the Sessions of Parliament holden in the Sixth and Seventh Years of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Land and Tenements in* Ireland, *and to incorporate certain detached Portions of Counties and Baronies with those Counties and Baronies respectively whereto the same may adjoin, or wherein the same are locally situate*, or by virtue of any other Act or Acts of Parliament, shall, under the Provisions of such Act or Acts, be or have been in force and applicable to any such Barony, Place, or District, or if this Act had not been passed would be so in force and applicable, regard shall be had to such Act or Acts, and to any Valuation made or to be made in pursuance thereof, in the Warrant of the Treasurer of such County, and in the Levy of Grand Jury Cess of such County, Barony, and Place or District as aforesaid.

Proportions and Valuations to be entered in County Books.

Provision for Valuation under 6 & 7 W. 4. c. 84.

Provision for Valuation in the County of Waterford, 7 W. 4. & 1 Vict. c. lxi.

IV. Provided always, and be it enacted, That any such Place which shall be added by virtue of this Act to the County of *Waterford* shall, for the Purposes aforesaid, and until the said Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth shall apply to such Place, be valued according to an Act passed in the Session of Parliament held in the Seventh Year of His late Majesty King *William* the Fourth and in the First Year of the Reign of Her present Majesty, intituled *An Act for the uniform Valuation of Lands and Tenements in the County of* Waterford *in* Ireland, *for the Purpose of levying the County Rates therein.*

Commissioners for Valuation of Waterford reappointed.

V. And whereas, in order to a due Valuation of the Place or Places which may under this Act be added to the County of *Waterford*, and to rectify any Errors or Omissions in the Valuation and Table already made out for the County of *Waterford*, it is expedient that the Power of the Commissioners appointed under the said last-recited Act should be continued; be it therefore enacted, That the Commissioners appointed under the said last-recited Act, and now living, be hereby re-appointed, with all Power conferred upon them by the said last-recited Act, so far as the same shall be necessary for the Purposes herein-after mentioned; and that the said Commissioners do, with all convenient Speed, and in the Manner directed by the said Act,

Act, make or cause to be made a Valuation of all Houses and Lands situated within the Place or Places which by virtue of this present Act shall or may be added to the said County of *Waterford*, and that the said Commissioners do also, within Three Months from the passing of this Act, amend and correct, or cause to be amended and corrected, all such Errors and Omissions as may be found by them to exist in the Valuation already made out by them for the said County of *Waterford*; and when the Valuation of the Place or Places so to be added to the said County of *Waterford* shall have been made, and when the said former Valuation for the said County shall have been so amended, that the said Commissioners do act with respect to such new and amended Valuation in the Manner provided and directed by the said last-recited Act, and that all such Steps and Proceedings be taken thereon, and with the like Powers and Authority, as are directed by the said recited Act with respect to the Valuation in the said Act mentioned.

Their Power to continue for 1 Year.

VI. And be it enacted, That the Power of the said Commissioners so hereby appointed for the Purposes aforesaid shall continue for the Space of One Year from the passing hereof.

Grand Jury of the County of Waterford empowered to present for the Expences of Valuation.

VII. And be it enacted, That it shall be lawful for the Grand Jury of the said County of *Waterford*, without any previous Application, at any Presentment Sessions, from Time to Time, to present at any Assizes to be raised in the said County at large all such Sum or Sums, not exceeding in the whole the Sum of Three hundred Pounds, as may be necessary to defray the Expences of the said Valuation; and all Monies so presented shall be paid to such Person or Persons as the said Commissioners shall, by Writing under their Hands, addressed to the Treasurer of the County, appoint to receive the same, and the same shall be so paid by such Treasurer accordingly: Provided always, that an Account of the Expenditure of the first Sum presented to be paid to the said Commissioners shall be laid before the said Grand Jury before any further Sum be granted to them, and in like Manner no further Sum shall be granted until the Account of the Sum previously granted shall be laid before such Grand Jury and be approved of.

For the uniting of Gaols.

VIII. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, upon Application from the Grand Jury of any Borough which shall be a County of a City or County of a Town, and from the Grand Jury of the County with which such Borough shall have the longest common Boundary, to order and direct that such Borough and County may unite in the building or providing of One Common Gaol, Bridewell, House of Correction, or other Prison for such Borough and County; and in any such Case the Gaols, Bridewells, Houses of Correction, or other Prisons of such Borough and County, shall be deemed to be united and joined; and that when the Gaols, Bridewells, Houses of Correction, or other Prisons of such Borough and County shall have been united and joined, it shall and may be lawful to and for such Grand Juries respectively to present such Sums as they shall think fit for the building a new Gaol or Gaols, Bridewells, Houses of

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Correction, or other Prisons for the said Borough and County respectively, or for either of them, either together or separate, as the said Grand Juries respectively shall think proper, in the same Manner in all respects, and the respective Parts thereof shall be subject to all the same Rules, Conditions, and Consequences, as if the same were separate.

For authorizing Contracts for the Maintenance of Prisoners.

IX. And be it enacted, That it shall be lawful for the Grand Jury of any Borough to contract with the Grand Jury of the County adjoining such Borough, or with which it shall have the longest common Boundary, or other Persons having Authority or Jurisdiction in and over any Gaol or House of Correction of such County, for the Support and Maintenance, in such last-mentioned Gaol or House of Correction, of any Prisoners committed thereto from such Borough; provided that no such Contract be entered into by any such Grand Jury of such County, or other Persons having such Authority or Jurisdiction, without an Order for that Purpose being made by such Grand Jury or Persons in their County Book or other Book in which their Proceedings are entered; and every such Contract may either be perpetual or limited to a certain Term of Years, as the Parties shall mutually agree; and during the Existence of such Contract every Prisoner who would otherwise be confined in the Gaol or House of Correction of such Borough of which the Grand Jury shall so contract may be lawfully committed or removed to and confined in the Gaol or House of Correction so receiving him or her under such Contract; and all Prisoners so confined by Contract, whether before or after Trial, shall be subject in all Matters and Things to the same Rules and Regulations as if they were committed thereto by any of the Justices of such County, and if committed before Trial shall be triable and tried in the same Manner as if their Offences had been committed in a Part of such County not within such Borough from whence such Person shall come, save only that if the Gaol or House of Correction so receiving under Contract a Prisoner committed for Trial shall be situate within Two Miles of the usual Place of Trial of such Borough wherein the Offence charged against such Prisoner shall be alleged to have been committed, it shall be lawful to try such Prisoner in the Manner heretofore accustomed, or in the Place in which he would or might have been tried if this Act had not been passed, and for the Magistrates or other proper Officer of such Borough to direct the Removal of such Prisoner for Trial, and to do all other Acts necessary for such Trial or consequent thereon.

Maximum Rate of Assessment.

X. And be it enacted, That the maximum Rate of Assessment of every Borough Rate to be made in any Borough under the said recited Act shall in no Case in any Borough exceed One Shilling in the Pound of the yearly Value of the Premises assessed thereto at which the same shall be estimated for the Purpose of a Rate for the Relief of the destitute Poor, and shall not, in any Borough in which an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to make Provision for the lighting, cleansing, and watching of Cities, Towns Corporate, and Market Towns in* Ireland, *in certain Cases*, or in which any Local Act or Acts providing for the paving, lighting, and cleansing of such Borough shall be in force,

9 G. 4. c. 82.

force, exceed Three-pence in the Pound of such yearly Value of the Premises so assessed to such Borough Rate as aforesaid: Provided always, that in any Case in which the Council of any Borough shall be entitled, as to the Whole or as to any Part of such Borough which shall not be within the Provisions of any Local Act for lighting the same, to levy Rates for the Purpose of lighting such Borough or such Part thereof, then the Rate to be levied within such Borough or within such Part thereof shall, in addition to the aforesaid Rate of Three-pence in the Pound, be of such an Amount as will be sufficient to cover the Expence of such lighting: Provided also, that in any Borough in which any Proportion of the Expence of the Constabulary Force in and for such Borough shall be payable out of the Borough Fund, then, in addition to the said Rate of Three-pence in the Pound, there may be levied a Rate of such an Amount as will be sufficient to cover the Expence of such Constabulary Force: Provided also, that in every such Case a separate Account shall be kept of all Monies so levied beyond the aforesaid Rate of Three-pence in the Pound, and such Monies shall be applicable only to the Purposes for which they shall have been levied; and such Account shall at all reasonable Times be open to the Inspection of every Rate-payer. Ic

Further Provision with respect to Officers who are to receive Compensation under the said recited Act. 2 & 3 Vict. c. 76.

XI. And whereas Provision is made by the said recited Act for Compensation in certain Cases, and it is deemed expedient to make further Provision in relation thereto: And whereas an Act was passed in the last Session of Parliament, intituled *An Act to restrain the Alienation of Corporate Property in certain Towns in* Ireland, whereby it is provided that no Person who should have been appointed to any Office or Place of Profit in or by any of the said Bodies Corporate since the Sixteenth Day of *February* in the Year One thousand eight hundred and thirty-six should be entitled, by reason of such Appointment, to have any Compensation for the Loss of such Office or Place of Profit, or of the Fees and Emoluments thereof, in case Provision should be thereafter made by Parliament for removing him or authorizing his Removal from such Office or Place of Profit, or for amending or abolishing the same: Be it enacted, That every chartered Magistrate acting by Corporate Appointment, whose Duties and Fees shall have been regulated by any Act of Parliament now in force in *Ireland*, and every Officer and every Person holding Office within any Borough or Body Corporate, except those appointed for the first Time since the Sixteenth Day of *February* One thousand eight hundred and thirty-six, and every Officer of any County, who shall hold any Place or Office of Profit at the Time when the said first-recited Act shall come into operation in such Borough, whose Office shall be abolished or cease or become unnecessary by reason of the said first-recited Act, or who shall be removed from his Office and shall not be re-appointed thereto under the Provisions of the said first-recited Act, or deprived of Fees or Emoluments to which he would have been entitled if the said first-recited Act had not been passed, shall be entitled to have an adequate Compensation, by way either of a Sum in gross or of Annuity, at the Option of and to be assessed by the Council, Commissioners, or Guardians acting under the said first-recited Act for that Borough, and paid out of the Borough Fund or Town Fund, or Corporate Property

or

or Funds vested in the Guardians under the said first-recited Act, as the Case may be, for the Salary, Fees, and Emoluments of the Office which he shall so cease to hold, or for the Fees or Emoluments of which he shall be so deprived as aforesaid, regard being had to the Manner of his Appointment to the said Office, and his Term or Interest therein, (whether such Person shall have held his Office for Life, or the Usage shall have been such as to raise a just Expectation that the Office would continue for Life, although, in compliance with some Charter, Custom, Bye Law, or Statute, such Person may have been subjected to an annual or other periodical Election,) and all other Circumstances of the Case; and every Person entitled to such Compensation as aforesaid shall deliver to the Town Clerk, or in case such Person shall himself be Town Clerk, then to the Treasurer of the Borough, a Statement under the Hand of such Person, setting forth the Amount received by him or his Predecessors in every Year during the Period of Five Years next before the passing of the said first-recited Act on account of the Salary, Fees, Emoluments, Profits, and Perquisites in respect whereof he shall claim such Compensation, distinguishing the Office, Place, Situation, Employment, or Appointment in respect whereof the same shall have been received, and containing a Declaration that the same is a true Statement, according to the best of the Knowledge, Information, and Belief of such Person, and also setting forth the Sum claimed by him as such Compensation; and the Town Clerk or Treasurer, as the Case shall be, shall lay such Statement before the Council, Commissioners, or Guardians acting under the said first-recited Act for that Borough, who shall take the same into consideration, and determine thereon; and immediately upon such Determination being made, the Person preferring such Claim, if he shall not himself be the Town Clerk, shall be informed thereof by Notice in Writing under the Hand of the Town Clerk, and in case such Claim shall be admitted in part and disallowed in part such Notice shall specify the Particulars in which the same shall have been admitted and disallowed respectively; and in case the Person preferring such Claim shall think himself aggrieved by the Determination of the Council, Commissioners, or Guardians acting under the said first-recited Act for that Borough thereon, or in case One Third of the Members of the Council, Commissioners, or Guardians acting under the said first-recited Act for that Borough shall subscribe a Protest against the Amount of Compensation allowed by such Determination as excessive, it shall be lawful for the Person preferring such Claim, or any Member of the Council, Commissioner or Guardian, as the Case may be, who shall subscribe such Protest, to appeal to the Commissioners of Her Majesty's Treasury, who shall thereupon make such Order as to them shall seem just; and such Order, signed by Three or more of such Commissioners, shall be binding on all Parties: Provided always, that if the Council, Commissioners, or Guardians so acting for such Borough shall not determine on such Claim within Six Calendar Months after the aforesaid Statement shall be delivered to the Town Clerk or Treasurer, as the Case shall be, such Claim shall be considered as admitted: Provided also, that it shall not be lawful for any Member of the Council, Commissioner or Guardian, to subscribe such Protest as aforesaid, except within such Period of Six Calendar Months: Provided

vided also, that the Person preferring such Claim, if any Member of the Council, Commissioner or Guardian, shall so require, upon receiving Notice in Writing, signed by the Town Clerk, unless such Person shall himself be Town Clerk, in which Case no such Notice shall be requisite, shall from Time to Time attend at any Meeting or adjourned Meeting of the Council, Commissioners or Guardians, for the Investigation of such Claim, and then and there, upon his Oath or solemn Affirmation, to be taken or made before the Mayor or Chairman, (who is hereby authorized to administer the same,) shall answer all such Questions as shall be asked by any Member of the Council, Commissioner or Guardian, touching the Matters set forth in the Statement subscribed by such Person as aforesaid, and produce all Books, Papers, and Writings in his Possession, Custody, or Power relating thereto: Provided also, that it shall be lawful for any such Town Clerk to include in the Amount of Compensation to be so claimed by him, not only the Salary and just Emoluments of his Office of Town Clerk, but also the Profits derived from the Performance of the Legal Business of the Body Corporate of the Borough in which he shall be such Town Clerk, executed by him, in or by reason of his official Capacity, and the just Emoluments of any other Corporate Appointment held by such Town Clerk, and usually held in conjunction with or attached or annexed to the Office of Town Clerk: Provided also, that in any Case in which such Town Clerk, or any other Officer of any such Borough, shall hold his Office for Life or during good Behaviour, or where the Usage has been such as to raise a just Expectation that the Office shall continue for the Life of the Holder, a Compensation of not less than Two Thirds of his Profits may be granted to such Officer, calculated upon an Average of his just Emoluments or those of his Predecessors for the Five Years next before the passing of the said first-recited Act: Provided also, that every such Officer who shall be continued in or re-appointed to such Office under the Provisions of this Act, and who shall be subsequently removed from such Office for any Cause other than such Misconduct as would warrant Removal from any Office held during good Behaviour, shall be entitled to Compensation in like Manner as if he had been forthwith removed under the Provisions of this Act, and had not been continued in or re-appointed to such Office: Provided also, that the Provisions herein-before contained with respect to such Notice, Protest, and Appeals as aforesaid, and with respect to the said Commissioners of the Treasury making such Order as aforesaid, and with respect to the Person claiming Compensation delivering such Statement, and attending such Meeting or Meetings, and submitting to such Examination on Oath, and answering such Questions, and producing such Books, Papers, and Writings as aforesaid, and with respect to the Powers of Investigation of the Town Council, and all other Matters in respect of such Claim, shall apply to any Claim or Compensation of any of the Persons in the said first-recited Act mentioned or specially provided for: Provided also, that in case *Robert Dickinson*, for whose Compensation special Provision is made in the said first-recited Act, shall, after the passing thereof, continue to hold any Corporate Office, either solely, or jointly with any other Person or Persons, the Emoluments of any such Office shall be treated as extinguishing any Right of the said *Robert Dickinson* to Compensation under the

said special Provision if such Emoluments shall amount to the annual Sum of Three hundred Pounds, and if such Emoluments be less the said annual Sum shall be treated as applicable in part Discharge of such Compensation: Provided also, that nothing in this Act contained shall authorize the granting or awarding to *Robert Dickinson* in the said first-recited Act mentioned any Compensation of or upon any annual Sum exceeding the annual Sum of Three hundred Pounds as in the said first-recited Act mentioned.

6 & 7 W. 4. c. 100.

XII. And whereas an Act was passed in the Sixth and Seventh Years of the Reign of His late Majesty, intituled *An Act to restrain the Alienation of Corporate Property in certain Towns in* Ireland, whereby temporary Provision was made to the end that the Estate and Effects of the Bodies Corporate constituted in certain Towns in *Ireland* might be preserved and maintained for the Use and Benefit of the Inhabitants of the said Towns, and upon and for the several Trusts and Purposes to which the same ought to be applied: And whereas by Three Acts passed respectively in the last and in the Two previous Sessions of Parliament, further temporary Provision was made to the like End: And whereas the Provision so contained in the last of the said Acts will cease on the First Day of *September* One thousand eight hundred and forty: And whereas it is fitting that such Provision should be continued; be it therefore enacted, That no Conveyance, Alienation, Settlement, Charge, or Incumbrance whatsoever, of, out of, or upon any Lands, Tenements, or Hereditaments to which any Body Corporate, or late or reputed Body Corporate, named in the Schedules to the said Act of the Sixth and Seventh Years of His said late Majesty annexed, or any One or more of the Members of any of the said Bodies Corporate in his or their Corporate Capacity, or any Person or Persons in Trust for them or any of them, now have or may hereafter acquire, or on or before the Sixteenth Day of *February* One thousand eight hundred and thirty-six had or have since then acquired, any Right or Title, unless in pursuance of some Covenant or Contract or Agreement *bonâ fide* made or entered into on or before the said Sixteenth Day of *February* by or on behalf of such Body Corporate, or of some Resolution duly entered in the Corporate Books of such Body Corporate on or before the said Sixteenth Day of *February*, shall (except as herein-after provided) be made or executed by or on behalf of such Body Corporate on or before the Day of the first Election of Councillors under the said first-recited Act, in any Borough named in the said Schedule (A.), or on or before the Twenty-fifth Day of *October* in the Year One thousand eight hundred and forty-one in any Borough named in either of the Schedules (B.) or (I.) to that Act annexed; and that no Contract, Covenant, or Agreement to convey or to charge such Lands, Tenements, or Hereditaments, entered into after the passing of this Act, and on or before the Day of the first Election of Councillors under the said first-recited Act in any Borough named in the said Schedule (A.), or on or before the Twenty-fifth Day of *October* in the Year One thousand eight hundred and forty-one in any Borough named in either of the said Schedules (B.) or (I.), shall (except as herein-after provided) be valid; and no Assignment, Grant, or Disposition of, or Covenant or Agreement to affect, any Personal Estate or Estates of any such Body Corporate,

Restraining the Conveyance of Corporate Property until the Act for the Regulation of Municipal Corporations in Ireland comes into operation, unless bonâ fide agreed upon previously to the 16th February 1836.

which may be hereafter made on or before the said Day of the first Election of Councillors under the said first-recited Act, in any Borough named in the said Schedule (A.), or on or before the Twenty-fifth Day of *October* in the Year One thousand eight hundred and forty-one in any Borough named in either of the said Schedules (B.) or (I.), shall, except as herein-after provided, be valid and effectual: Provided always, that nothing herein contained shall extend to such Dispositions as may be made before the said Day of the first Election of Councillors under the said first-recited Act in any Borough named in the said Schedule (A.), or before the Twenty-fifth Day of *October* in the Year One thousand eight hundred and forty-one in any Borough named in either of the said Schedules (B.) or (I.), of any Part of the Real or Personal Estate of any such Body Corporate, for paying any just and lawful Debt contracted by them before the said Sixteenth Day of *February* One thousand eight hundred and thirty-six, or for paying any Debt which such Body Corporate shall have been or may be directed to pay by any Order, Judgment, or Decree of any Court of Law or Equity, or for defraying the legal Salaries of necessary Officers, and other legal and necessary Disbursements of such Body Corporate.

Time when this Act shall come into operation.

XIII. And be it enacted, That this Act shall come into operation in each of the said Boroughs of *Cork*, *Dublin*, *Drogheda*, *Kilkenny*, *Limerick*, and *Waterford* on the Day after the Election of a Town Council under the Provisions of the said Act of this present Session of Parliament.

Interpretation Clause.

XIV. And be it enacted, That in the Construction of this Act the Word "Borough" shall be construed to mean City, Borough, or Town Corporate, and shall also be construed to include in its Meaning County of a City or County of a Town; and the Word "Borough" shall be construed to include and extend to the Limits thereof as the same are defined in and by an Act passed in the present Session of Parliament, intituled *An Act for the Regulation of Municipal Corporations in* Ireland; and the Words "Lord Lieutenant" shall be construed to mean the Lord Lieutenant, Lords Justices, or other Chief Governor or Governors of *Ireland*.

Act may be altered this Session.

XV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

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