ANNO SEPTIMO & OCTAVO

VICTORIÆ REGINÆ.

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C A P. CVI.

An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of *Dublin*. [9th *August* 1844.]

WHEREAS an Act was passed in the Sixth and Seventh Years of King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, whereby Provision was made for the above Purpose in all Parts of *Ireland*, except in the County and City of *Dublin;* and it is expedient to assimilate the Law in the County of *Dublin*, as far as may be practicable, to that in other Parts of *Ireland:* 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 from and after the First Day of *January* One thousand eight hundred and forty-five the following Acts and Parts of Acts shall be and are hereby repealed, save and except so far as they or any of them repeal any other Act, and also save and except as to Matters and Things heretofore done under the said Acts or any of them;

6 & 7 W. 4. c. 116.

Acts and Parts of Acts repealed;

(that is to say,) an Act passed in the Parliament of *Ireland* in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making, widening, and repairing public Roads in the County of* Dublin, *and for repealing Parts of several Acts formerly made for that Purpose* (except such Parts thereof as authorize the Grand Jury to accept from and the late Sir *Nicholas Lawless* to make a Conveyance of so much of *Gallows Hill* as might be deemed sufficient for erecting a County Gaol, and provide that the Person or Persons to whom such Conveyance should be made should in nowise be reputed to derive or claim as a Freeholder or Freeholders, and as empower the Grand Jury to levy and pay to the said Sir *Nicholas Lawless*, his Heirs and Assigns, the annual Rent therein mentioned); also an Act passed in the Forty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to alter and amend the aforesaid Act made in the Twenty-sixth Year of His said Majesty's Reign;* also an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to amend so much of an Act made in the Parliament of* Ireland *in the Twenty-sixth Year of King* George *the Third, for making and repairing public Roads in the County of* Dublin, *as relates to the Roads within the Barony of* Rathdown; and also an Act passed in the Fifty-first Year of the Reign of King *George* the Third, intituled *An Act to amend an Act made in the Parliament of* Ireland *in the Twenty-sixth Year of King* George *the Third, for making and repairing public Roads in the County of* Dublin, with respect to those Roads within those Parts of the Baronies of *Uppercross* and *Newcastle* which are situate on the South-east Side of the great Turnpike Road leading from *Dublin* to *Cork* by *Rathcoole* and *Naas.*

26 G. 3. (I.) in part.

43 G. 3. c. xxv.

50 G. 3. c. lx.

51 G 3. c. xxxvi. in part.

No Presentment for raising Money except at Easter Term.

II. And be it enacted, That it shall not be lawful for any Grand Jury of the County of *Dublin* to present, or for the Judges or Justices of any Court to allow any Presentments for the raising or levying any Money off the County of *Dublin* at large, or off any Barony within the said County, except at *Easter* Term in every Year; and such *Easter* Term shall be designated the Presenting Term for the County of *Dublin;* and on the First Day of every such Term the Clerk of the Crown in open Court shall administer to each of the Grand Jurors to be impannelled the Oath following; (that is to say,)

Grand Jurors Oath.

'YOU shall diligently inquire, on behalf of the County of *Dublin*, and true Presentment make, of all such Matters and Things as shall be lawfully given to you in charge, or as shall come before you in anywise relating to the raising of any Money upon the said County of *Dublin*, or upon any Barony, Half Barony, District, or Parish therein, or relating to the Expenditure of any such Money: You shall not present, nor allow, nor disallow, any Matter or Thing, through Hatred, Malice, or Ill-will, nor through Fear, Favour, Affection, nor Reward. So help you GOD.'

Grand Jury shall transact Business in open Court,

III. And be it enacted, That the Grand Jury of the said County of *Dublin*, so impannelled at the Presenting Term in each Year, shall be and be deemed to be the Grand Jury of the said County for all

the Purposes of this Act, and shall transact the fiscal Business of the said County in open Court, and in such Place or Room, and within such Times, during Term, as the Judges of the Court of Queen's Bench from Time to Time shall appoint, not exceeding Twelve Days from the First Day of each Presenting Term; and that the Secretary of the Grand Jury shall cause to be laid before the Court of Queen's Bench, Two Days at least before the last Day that shall be appointed by the Judges as aforesaid for the finishing of the fiscal Business, all Accounts of Presentments to be fiated by the Court; and that each Grand Jury shall for the whole Period during which they shall sit be called over each Morning at sitting by the Foreman or Person acting as such, and at all other Times when the Number of Grand Jurors present shall be less than by Law required for the Performance of the Functions of a Grand Jury; and any Grand Juror who shall make default in his Attendance at any of such Times shall for every such Default incur a Penalty of Forty Shillings; and such Default shall be reported by the Foreman to the Court of Queen's Bench, and unless the same shall be excused on the Ground of Illness, or other good and substantial Reason, to the Satisfaction of the Court, such Fine and Penalty shall be by the said Court confirmed and declared absolute, and recovered and applied in the same Manner as Fines and Penalties imposed on Jurors for any Defaults or Misbehaviour may now by Law be recovered and applied; and if the Foreman shall fail to call over the Jury at the Times herein-before appointed, or to report the Absence of any Juror upon such Call, he shall incur a Penalty of Forty Shillings for each such Default, to be in like Manner recovered and applied: Provided always, that nothing herein contained shall limit or affect the Authority of the said Court to enforce the Attendance of any Grand Juror as said Court may now enforce such Attendance.

in such Place as Judges of Queen's Bench shall appoint; and shall be called over each Morning.

Appointment of County Officers.

IV. And be it enacted, That upon the Death, Resignation, or Removal of the present Secretary of the Grand Jury it shall be lawful for the Grand Jury at any such Presenting Term to appoint a proper Person to act as their Secretary; and the present Secretary of the Grand Jury, or any Secretary who shall be appointed hereafter under the Provisions of this Act, shall continue to act as such until he shall be removed by the Grand Jury, or until another Person, duly qualified, shall be in like Manner appointed; and if any Person appointed Secretary shall happen to die, the Clerk of the Peace or his known Deputy is hereby required to act as such until the last Day of the ensuing Presenting Term; and for the performing all and singular the Duties of such Secretary such Clerk of the Peace or his said Deputy shall be entitled to receive a rateable Proportion of the Salary of such Secretary for the Time during which he shall have performed such Duties; but in case of the Illness of the Secretary it shall and may be lawful for such Secretary to appoint a Deputy, for whom he shall be responsible, and who shall perform the Duties of said Secretary during his Illness: Provided always, that it shall not be lawful to appoint or continue joint Secretaries or more than One Person as Secretary in the said County.

Grand Jury shall appoint Secretary.

V. And be it enacted, That it shall not be lawful for the same Person to be appointed, after the First Day of *January* One thousand eight

Secretary shall not be also the

Clerk of the Peace, &c.

eight hundred and forty-five, Secretary of the Grand Jury and Clerk of the Peace, or Clerk of the Crown, or Treasurer of any County, or Collector of Grand Jury Cess, or Inspector of Gaols; and in case the Secretary of the Grand Jury shall at any Time refuse or neglect to perform any of the Duties imposed upon him by the Provisions of this Act, such Secretary, being convicted thereof before the Judge of the Court of Queen's Bench, shall for such Refusal or Neglect forfeit any Sum not exceeding Fifty Pounds, at the Discretion of such Judge; and no Presentment shall be made of any Salary to him.

Lord Lieutenant in Council shall appoint Number of Districts for Surveyors, and Salaries.

Grand Jury shall fix Boundaries.

No Barony to be divided.

VI. And be it enacted, That it shall be lawful for the Lord Lieutenant, by Order in Council, at any Time and from Time to Time hereafter, to require and direct the Grand Jury of the said County, at the *Easter* or *Michaelmas* Term next following the making of such Order, to divide the said County into as many Road Districts as in and by such Order shall be directed, or to alter any Districts, and fix and declare the Salary of the Surveyors to be appointed for each District, and the Scale by which such Salary shall be at any Time augmented; and the said Grand Jury shall thereupon declare and define by Presentment the Boundary of each such District, and set forth the Townlands or Denominations to be contained therein; provided, however, that no Barony shall be divided, but the whole of each Barony shall be placed in One District; and the Presentment for such Division or Alteration of Division of the County shall be laid before the Court, and fiated with the other Presentments; and from and after the fiating of such Presentment the several Districts to be formed shall be and constitute the Road Districts respectively of the said County for the Purposes of this Act.

A Board of Engineers shall examine and give Certificates to Persons qualified and desirous of being appointed Surveyors.

VII. And be it enacted, That it shall be lawful for the Lord Lieutenant of *Ireland* at any Time to appoint a Board of Three Civil or Military Engineers, to act without Salary or Emolument, in *Dublin*, who shall from Time to Time examine into and certify the Qualifications of Persons desirous to act as District Surveyors for the said County under this Act; and such Board of Engineers, after due Examination, shall give Certificate of Qualification to any Person who, in their Opinion, shall be duly and properly qualified to undertake the Duties of such Office; and it shall be lawful for the Grand Jury of the said County, at the next *Michaelmas* Term after the passing of this Act, or at any succeeding Presenting Term, to appoint from amongst the Persons who shall have obtained such Certificate One Surveyor for each Road District, at such Salary and subject to such Augmentation as shall have been so fixed and determined by the Lord Lieutenant in Council.

Duties of District Surveyors.

VIII. And be it enacted, That each Surveyor to be appointed as aforesaid shall attend at each Presentment Sessions herein-after directed to be held in and for his District for the Reception of Applications for Presentments, and also at the Presentment Sessions for the County at large, and shall afford such professional Advice and Assistance in the Consideration thereof as may be required of him under the Direction of the Grand Jury, the Finance Committee herein-after directed to be appointed, or Presentment Sessions, and shall prepare Forms of Tenders and Proposals, Estimates, Specifications,

cations, Maps, Plans, Sections, or Elevations of any Work approved thereat, and shall himself make such Application, when necessary, as herein-after directed, and shall also attend upon the Grand Jury, and as far as possible make to them a full and particular Report on all Applications for Presentments lodged with the Secretary as aforesaid, and the Necessity or Utility of the same, and on the Correctness of the Maps, Plans, Specifications, and Estimates prepared as aforesaid, and how far it may be expedient to alter, vary, or modify the Objects stated in such Applications; and the said Surveyor or Surveyors shall also report generally on the State of Public Works in their respective Districts, and on all Applications on the Part of Contractors, and on the Progress and Execution of all public Works formerly presented, and on the Performance of all Contracts, and on the State, Repairs, Progress, and Condition of all Buildings, Roads, Bridges, Gullets, Walls, or other Work; and the said Surveyor or Surveyors, or One of them, as the Grand Jury or Finance Committee shall direct, shall audit all Accounts of such Works, and ascertain and certify the Correctness thereof, and whether each Contractor is entitled to Payment, and how far and whether such Contractor has conformed to the Provisions of this Act and the Laws in force in *Ireland*, and shall also report the Name and Description of all Persons by him prosecuted for any Nuisance or Injury to any Road, or any other Offence of like Nature, and the Result of such Prosecution, and the Proceedings therein, and generally on all Matters and Things relating to the Office of Surveyor, or which may be given to him in charge by the Grand Jury or Finance Committee.

Surveyors may be dismissed by Lord Lieutenant or Grand Jury.

IX. And be it enacted, That any Surveyor appointed under this Act may be at any Time suspended or dismissed or his Salary withheld for Neglect or Misconduct, at the Pleasure of the Lord Lieutenant of *Ireland*, or by the Grand Jury at any Presenting Term; and in such Case, and on every other Vacancy, however occasioned, the Grand Jury at the next Presenting Term shall appoint a Successor from and out of the Persons who shall be from Time to Time certified to be qualified as aforesaid: Provided always, that in case of Indisposition or other unavoidable Cause, proved on Oath to the Satisfaction of the Grand Jury or of any Three Justices of the Peace for the said County, such Surveyor may depute another Person, duly certified as herein-before mentioned, to act for him; and such Deputy shall be removable in like Manner as his Principal.

On Death, Resignation, or Dismissal of present Collectors, Grand Jury shall appoint Collectors of County Cess.

X. And be it enacted, That upon the Death, Removal, or Resignation of any of the present Collectors the Grand Jury of the said County shall at any Presenting Term appoint a proper Person, not being a Magistrate or Attorney, to be Collector for each Barony in such County, to collect all Money which shall be presented to be raised on such Barony or any Parish or Townland therein, and also the Proportion which such Barony may be liable to pay towards the Money presented to be raised on the County at large; and every such Collector shall have all Power and Authority and shall exercise and perform all Duties now or hereafter to be by Law required of any High Constable or Collector: Provided always, that if any such Collector shall happen to die before he shall have collected the whole

of the Money presented to be raised as aforesaid on such Barony for which he shall be Collector, or if any Case of Vacancy should occur, or if any Collector shall become incapable of performing his Duty by Illness or otherwise, it shall be lawful for the Finance Committee for the said County to appoint another fit and proper Person to be Collector *pro tempore* until a Collector shall be appointed by the Grand Jury as aforesaid.

Collectors shall enter into Security.

XI. Provided always, and be it enacted, That no Person shall act as Collector unless he shall have given Security before the acting Foreman of the Grand Jury at some Presenting Term, or before some Justice of the Peace, being a Member of the Finance Committee (if such Collector shall have been appointed by the Finance Committee), by Two sufficient Sureties, to be approved of by the Grand Jury or Finance Committee, joining with him in executing a Bond and Warrant of Attorney, without Stamp, to confess Judgment to the Secretary of the Grand Jury, conditioned for his duly collecting and paying into the Bank of *Ireland*, to the Credit of the Finance Committee, from Time to Time, so long as he shall continue Collector, or till the Grand Jury shall otherwise determine, all such public Money as he is or shall be required to collect, and that he shall at no Time retain in his Possession a larger Sum than One hundred Pounds; and it shall be lawful for the Grand Jury to fix a Sum not exceeding One Shilling in the Pound on the Amount of the Collection to be paid to each of the present Collectors for his Trouble therein, and a Sum not exceeding Nine-pence in the Pound on the Amount of the Collection to be paid to every Collector hereafter to be appointed for his Trouble therein: Provided always, that no Presentment for the Payment of such Poundage, or any Balance thereof, shall be made by any Grand Jury, or fiated by the Court, unless the Warrant under which such Collector has levied such public Money shall be annexed to such Presentment, nor unless such Collector and his Deputy respectively shall make Affidavit before the acting Foreman of the said Grand Jury that such public Money has been fairly and impartially levied, and that no more than the Sum authorized by the Warrant has been collected, to the best of his and their Knowledge and Belief; and every Collector as aforesaid may, by Writing under his Hand and Seal, appoint a Deputy Collector or Deputy Collectors, for whom he shall be answerable, to assist him in collecting the public Money; and every such Bond, and any Judgment entered thereon, shall vest in and may be sued for by the Secretary of the Grand Jury for the Time being, who shall be entitled to continue the Proceedings of any former Secretary on filing a Suggestion stating his Appointment to such Office, or on his making it otherwise appear to the Court in which such Proceeding may be pending that he is the acting Secretary.

Grand Jury to fix the Poundage to be allowed.

Proviso.

Duty of Collectors.

XII. And be it enacted, That every Collector shall commence his Collection with as little Delay as possible after Receipt of his Warrant, and shall lodge the Amount collected from Time to Time in the Bank of *Ireland* to the Credit of the Finance Committee of the County, and shall not at any Time retain in his Hands more than One hundred Pounds, but shall lodge the same with all convenient

Expedition in the said Bank of *Ireland*, and shall attend the Finance Committee from Time to Time, and make up the Accounts of his Collection when and as such Finance Committee shall direct, and furnish them with a Copy or Vouchers of all Receipts and Lodgments; and in case of any Inattention, Neglect, or Misconduct on the Part of any such Collector it shall be lawful for the said Finance Committee to suspend or dismiss such Collector, and to appoint another Person to act in his Place in completing such Collection, whereupon the said Collector shall hand over his Warrant, with a List of the Persons whose Grand Jury Cess may have been paid or may remain unpaid; and if such Collector shall refuse or neglect for One Week to deliver over such Warrant and List as aforesaid, after being required so to do, he shall forfeit the Sum of Twenty Pounds, to be recovered by Civil Bill, or before any Justice of the Peace, at the Suit of the Finance Committee; and the Person so appointed to act in the Place of the Collector so suspended or dismissed shall, after having entered into Security as aforesaid, have and possess all the Rights, Powers, and Privileges of a Collector duly appointed by the Grand Jury under this Act until the First Day of the then next Presenting Term, but no longer.

Collectors may be suspended or dismissed for Negligence by Finance Committee.

XIII. And be it enacted, That it shall and may be lawful for the Grand Jury of the said County at any Presenting Term, Application being previously made at Presentment Sessions as herein-after directed, to present such Sum or Sums of Money, to be raised off the County at large, as shall be necessary for building, rebuilding, enlarging, repairing, altering, hiring, furnishing, or fitting up any Court House or Sessions House therein, whether for any other Purpose required by Law, or for the Purposes of Presentment Sessions under this Act; and whenever any Presentment shall be made for any of such Purposes, or any other public Works, and the Sum necessary to be raised for the same shall be greater than it may be proper to levy off the County at one Time, then and in every such Case it shall be lawful for such Grand Jury to present, in the first instance, the whole Sum required for such Purpose, and to direct in and by such Presentment that the same shall be raised off the County by such half-yearly Sums or Instalments, and in such Proportions, as to such Grand Jury may seem expedient, and the same shall be so raised accordingly: Provided always, that it shall be lawful for any subsequent Grand Jury to present that any of the said Instalments shall be increased to any Sum that shall be found necessary or proper.

Presentments on County at large.

Grand Jury may present on County at large for building, repairing, &c. of Court Houses.

XIV. And be it enacted, That if, in any Town or Place at which the Lord Lieutenant hath directed or may hereafter direct that a Quarter Sessions of the Peace, or any Adjournment thereof, shall be holden for the Despatch of Civil or Criminal Business, there be not a sufficiently commodious or convenient Sessions House, it shall be lawful to and for the said Lord Lieutenant to direct any Architect or Engineer as he shall deem advisable to prepare such Specifications, Maps, Plans, Sections, and Elevations as may be necessary for the Erection of a Sessions House, therein expressing the Nature and probable Expence of the Works, and the Materials proper to be employed, and the same shall be delivered to the Secretary of the Grand Jury,

Providing for insufficient or incommodious Sessions Houses.

Jury, who shall lay the same, together with the Copy of the Warrant of the Lord Lieutenant, before the Grand Jury, at the Presenting Term next after the Time at which he shall receive the same; and the Grand Jury shall examine such Specifications, Maps, Plans, Sections, and Elevations, and such others as may be laid before them, and either adopt the same, or make such Alterations therein as they may think proper, or reject the same, and shall present that a proper and sufficient Sessions House shall be provided or built in such Town or Place within the Period of One Year from the last Day of such Presenting Term, and that a Sum not exceeding One thousand Pounds shall be levied off the County for that Purpose at One Time, or by Instalments to be completed within the Period of Five Years; and the Architect or Engineer shall thereupon prepare a proper Form of Tender for the Execution of such Work, and shall deliver the same to the Secretary of the Grand Jury, who shall forthwith advertise for Tenders for the Execution thereof, and shall lay the same, together with the Presentment, and the Specifications, Maps, Plans, Sections, and Elevations, as approved of by the Grand Jury, and the Tenders for Execution thereof, before the next adjourned Presentment Sessions holden for the County at large; and the Tenders that shall be made for the Execution of such Works shall be opened at such Sessions, and dealt with in all respects in like Manner as any other Tender for a Work approved of and presented is: Provided always, that if such Presentment shall not be made, and a valid Contract for executing such Work shall not be entered into, within the Period of Two Calendar Months from the last Day of the Presenting Term in which such Warrant shall have been laid before the Grand Jury, it shall be lawful for the Lord Lieutenant to direct the Commissioners of Public Works in *Ireland* to build or provide such Sessions House; and on the Production to the Grand Jury at any Presenting Term of the Certificate of the Secretary of such Commissioners that a Sum not exceeding the Sum of One thousand Pounds has been expended in building such Sessions House and purchasing a Site for the same, or for either of such Purposes, the Grand Jury shall and they are hereby required to present the Sum so certified to be levied off such County in One Payment, and to be paid to the Secretary of the said Commissioners, in satisfaction of the Sum so expended: Provided also, that in case the said Commissioners of Public Works shall find it convenientto take a Lease of any Premises for the Purpose of building such Sessions House thereon, they shall be at liberty to do so, and to engage to pay an annual or other Rent for the same, not exceeding the Sum of Fifty Pounds *per Annum*, and the Grand Jury shall and they are hereby required from Time to Time to present a Sum equal to the Amount of such Rent, to be levied off the County, and paid in discharge of the same.

Secretary of the Grand Jury may advertise for Plans, &c.

XV. And be it enacted, That it shall be lawful for the Secretary of the Grand Jury, under Direction of any Presentment Sessions for the County at large, to advertise in the public Newspapers for Surveys, Specifications, Maps, Plans, Sections, and Elevations from professional Engineers and Architects, for the Erection, Alteration, and Repair of such Buildings as may be required for the public Use of the County, or for the Construction of any Bridge or other public Work,

Work, the probable Cost of which shall exceed One thousand Pounds, and to offer a Sum not exceeding Fifty Pounds as Remuneration to the Engineer or Architect whose Plans shall be approved of; and it shall be lawful for the Grand Jury to make Presentment of such Remuneration, and to employ such Engineer or Architect, should they judge it necessary, in superintending the Work to be executed pursuant to his Plan, on such Terms as may be determined by the Grand Jury.

Sites of Court and Sessions Houses.

XVI. And be it enacted, That whenever any Presentment shall be or has been made for the Purpose of building a new or enlarging any Court House or Sessions House in and for the said County, it shall be lawful for the Grand Jury of the said County to authorize such Commissioners as such Grand Jury shall appoint to contract and agree with any Person or Persons, or Body or Bodies Corporate or Politic, for the Purchase or renting of any Houses, Buildings, Lands, Tenements, or Hereditaments convenient for the Site of any new Court House or Sessions House, or adjoining to any old Court or Sessions House, and convenient for the Purpose of enlarging the same or the Courts or Outlets thereunto belonging; and the Lands, Tenements, or Hereditaments so contracted or agreed for shall be demised or conveyed to such Commissioners, and to their Heirs, Executors, Administrators, and Assigns, in trust for the Uses and Purposes aforesaid; and such Commissioners shall be appointed and such Demise or Conveyance made in such Manner and under such and the like Rules and Regulations as are prescribed in an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland, with respect to the Appointment of Commissioners, and the demising and conveying of any Lands, Tenements, or Hereditaments to such Commissioners, under that Act: Provided always, that in case such Commissioners shall be unable to agree with the Owners of any Lands, Tenements, or Hereditaments proper or necessary to be purchased for the Purposes of any such Presentment, and if the Grand Jury by which such Presentment shall have been made, or any subsequent Grand Jury, shall direct that the same be purchased or rented by and under the Valuation of a Jury, it shall be lawful for the Commissioners appointed as aforesaid, or any Three or more of them, to issue their Warrant to the Sheriff, in the Manner directed by the said Act of the Seventh Year of His late Majesty King *George* the Fourth's Reign, and thereupon such and the like Proceedings shall and may be had and taken for summoning, impannelling, and swearing Juries, and valuing the Premises so directed to be purchased or rented, and each and every Part thereof respectively, and for obtaining the full Possession and Seisin thereof, and a good Title thereto, in the said Commissioners, and with and subject to all the same Rules, Regulations, Conditions, and Jurisdictions as in the said Act provided concerning any Premises to be purchased by such Valuation under the aforesaid Act of the Seventh Year of His late Majesty's Reign; and the said Commissioners shall in that Behalf have, possess, and exercise all and every the like Powers and Authorities as by the said Act are granted to and vested in the Commissioners therein

7 G. 4. c. 74.

therein mentioned; and it shall be lawful for any such or any subsequent Grand Jury to present the Sum so agreed upon or fixed as the Purchase Money of such Premises, and the Costs attending such Purchase, to be levied off such County, either at One Time or by half-yearly Instalments, in such Manner as they may think proper; and such Presentment may be made without any previous Application to any Presentment Sessions.

Rents of Court and Sessions Houses.

XVII. And be it enacted, That it shall be lawful for the Grand Jury of the said County and they are hereby required to present at each Presenting Term, without previous Application at Presentment Sessions, to be raised upon such County, all such Sum or Sums of Money as shall be necessary for paying such Rent or Rents of any Court House or Sessions House, or their Appurtenances respectively, as now are or shall at any Time hereafter be payable for the same.

Commissioners of Public Works may sell old Court Houses.

XVIII. And be it enacted, That it shall be lawful for the Commissioners appointed as aforesaid by any Grand Jury of the said County to sell and dispose or to authorize the Sale and Disposal of any old Court House or Sessions House belonging to the said County in which the Sessions have been discontinued or have ceased to be held, together with the Ground or Site on which the same is built, according to the Title or Interest which the County may have in the same, and also to sell and dispose of or to authorize the Sale and Disposal of all or any Part of the Materials of which such old Court House or Sessions House may be composed; and the Money arising therefrom shall be paid to the Credit of the Finance Committee of such County, and applied to defray the Purchase Money of any Premises required for the Erection of any new Court House, or to the Erection of such new Court House, or such other Purposes connected with the County at large as any other public Money raised off such County, and coming to the Credit of such Finance Committee, may be applied.

For providing Fuel, &c. for Court Houses.

XIX. And be it enacted, That it shall be lawful for the Grand Jury of the said County, at any Presenting Term, without any previous Application to Presentment Sessions, to present, to be levied off such County at large, such reasonable Sum or Sums as they shall think proper, for providing Fuel or Light for each and every or any Court House or Sessions House in or belonging to such County; provided that no Sum so presented shall be paid by the Finance Committee of such County until the Person to whom any such Sum so to be presented for Fuel shall be payable under such Presentment shall prove, to the Satisfaction of the said Finance Committee, by an Affidavit sworn by him before some Justice of the Peace, or by other Evidence, that the Sum required to be paid hath been duly expended in the Purchase of Fuel for the Use of such Court House or Sessions House, pursuant to such Presentment, and that the whole of such Fuel hath been consumed in the said Court House or Sessions House, and for the Use and Benefit thereof, or, if any Part of such Fuel shall not have been consumed, stating how much thereof has been consumed, and that the Residue then remains in safe Keeping, to be applied

applied to the Use of the said Court House or Sessions House in like Manner.

Rent of Petty Sessions Houses.

XX. And be it enacted, That it shall be lawful for the Grand Jury of the said County to present, to be levied off the County at large, for each of the Places wherein Petty Sessions shall be appointed to be held, an annual Sum not exceeding Ten Pounds for the Rent of a Room or Rooms for the holding of Petty or Presentment Sessions thereat, and of a Lock-up Room or House: Provided always, that such Room or Rooms shall not be in a House where spirituous or fermented Liquors are sold, nor in any Police Barrack, nor in any other Building maintained either wholly or in part at the public Expence: Provided also, that whenever a public Court House shall have been built and provided at any Place so appointed, no such Presentment shall be made, but the Petty and Special Sessions shall be holden in such public Court House, and not elsewhere: Provided also, that it shall be proved, to the Satisfaction of the County Presentment Sessions where Application shall be made for such Rent, that Six Meetings of Justices, during the Six Months immediately preceding such Application, have been held in such Room or Rooms.

Salaries of Sessions House Keepers, &c.

XXI. And be it enacted, That it shall be lawful for the Grand Jury of the said County to present, without any previous Application at Sessions, to be levied off such County at large, any Sum not exceeding Twenty Pounds for the Court Keeper of *Kilmainham*, and not exceeding Eight Pounds, at each Presenting Term, as a Salary or Payment for the Keeper of any other Sessions House belonging to such County where the General Quarter Sessions of the Peace are held, and any Sum not exceeding Ten Pounds, at each Presenting Term, for an Interpreter, if such Payment shall be recommended by the Court.

Erecting Milestones, &c.

XXII. And be it enacted, That it shall be lawful for the Grand Jury as aforesaid (Application being previously made at Presentment Sessions) to present, to be raised off the County at large, any Sum or Sums of Money for making or repairing a Gallows, or for Bolts and Shackles, not exceeding in the whole in any One Year the Sum of Twenty Pounds, and also for erecting or repairing Direction Posts, Milestones, Mile Posts, or Depôts for Materials, not exceeding One Pound for each Direction Post, Milestone, Mile Post, or Depôt, also the necessary Expences incurred in printing the several Notices and other Documents, Accounts, and Abstracts herein directed or authorized by the Grand Jury at any Presenting Term, and sanctioned by the Court, to be printed.

Support of Fever Hospitals and Dispensaries.

XXIII. And be it enacted, That where any Fever Hospital or Dispensary for the Purpose of furnishing Medicine and affording Medical and Surgical Aid to the Poor of any Town or Place in the said County is now or shall be hereafter established in such County by private Subscriptions or Donations, and a Certificate of the Sum or Sums of Money actually received by the Treasurer of such Fever Hospital or Dispensary from private Subscription or Donation since the last Application to Presentment Sessions, or since the Establishment

blishment of such Fever Hospital or Dispensary, and a Statement of the Number of Persons admitted or relieved, together with an Account of the Receipt and Disbursement of all Monies raised by virtue of any Presentment for such Fever Hospital or Dispensary, as well as of all Monies actually received from private Subscription or Donation for the Use of such Fever Hospital or Dispensary, since the Date of such last Application or Establishment, shall have been laid before the Presentment Sessions ensuing the Disbursement thereof, and such Certificate and Account, verified upon the Oath of such Treasurer, shall, together with the Application for a Presentment for such Fever Hospital or Dispensary, have been allowed and approved of at such Sessions, it shall be lawful for the Grand Jury of the said County at any Presenting Term to present, to be raised off the said County, or any Barony or Baronies thereof, as to such Grand Jury shall seem fit, in case of a Fever Hospital a Sum not exceeding Double the Amount, and in the Case of a Dispensary a Sum not exceeding the Amount, of such private Subscriptions or Donations so received, to be paid to the Treasurer of such Fever Hospital or Dispensary, and applied (under the Direction of the Subscribers of any annual Sum of not less than One Guinea, or such Committee of them, not fewer in Number than Five, as they shall appoint for that Purpose at any General Meeting of such Subscribers), together with the Monies received by private Subscription and Donation, in fitting up and supporting such Fever Hospital or Dispensary, and in providing Medicine and Medical and Surgical Aid for the Poor of such Place and its Neighbourhood: Provided always, that when any Fever Hospital shall be attached to any Dispensary the Treasurer of the same shall separate the Accounts of the Receipts and Expenditure of each such Fever Hospital and Dispensary, and the Application for Presentments for each shall be separate and distinct; provided also, that no such Presentment shall be made unless it shall appear by the Certificate of such Treasurer, verified as aforesaid, that the Medical Attendant, if appointed after the First Day of *January* One thousand eight hundred and forty-five, resided since the Creation of such Dispensary or Hospital, or since the last Presenting Term, (as the Case may be,) at or within One Statute Mile of such Dispensary or Hospital.

Erection of Fever Hospitals.

XXIV. And be it enacted, That whenever it shall be made appear by Statement on Oath to the Grand Jury of the said County that there has been actually received from private Subscriptions or Donations any Sum or Sums of Money for the Purpose of erecting any House to be applied to the Reception of Fever Patients, and either connected with any local Dispensary or not, as the Case may happen, and upon a Certificate by One or more Physicians that there is a Necessity for providing Accommodation for such Patients, it shall and may be lawful for such Grand Jury to present, to be raised off such County at large, any Sum not exceeding Double the Amount of the Sum or Sums so raised by Donation or Subscription, and actually received by the Treasurer, to be applied, together with the Monies so received by private Donation or Subscription, in erecting such House for Fever Patients, in such Manner as the Subscribers of any Sum not less than One Guinea, or such Committee

of them, not fewer than Five, as they shall appoint for that Purpose at any General Meeting of such Subscribers, shall in their Discretion deem most advisable: Provided always, that the Affidavit and Certificate herein mentioned shall, together with the Application for such Presentment, have also been laid before the Presentment Sessions, and approved thereat; provided also, that an Account of the Receipt and Expenditure of such Fever Hospital from the Time of its Establishment to the Time of the first Presentment required, and afterwards from the Time of each Presentment required till the Time when any further Presentment is required, shall, together with an Application for the Sum so proposed to be presented, be laid before the Presentment Sessions to be holden under this Act for the Purpose of considering Applications for Presentments, and that such Account and Application shall be approved at such Sessions.

Idiot Wards in connexion with Lunatic Asylums.

XXV. And be it enacted, That where any Ward or Wards for the Reception and Support of Idiots and incurable Insane Persons is or may be established in conjunction with or under the Direction of any Lunatic Asylum connected with the said County, it shall and may be lawful for the Grand Jury at each Presenting Term, without previous Application at Sessions, to present such Sum or Sums, not exceeding the Sum of One hundred Pounds, as shall appear to be necessary for the Support of such Ward connected with such Lunatic Asylum; and such Sum shall be raised off the County at large, or off any Barony or Baronies thereof, as the Grand Jury shall direct.

Expences of Boards of Health.

XXVI. And be it enacted, That whenever the Lord Lieutenant of *Ireland* shall at any Time have ordered any Sum or Sums of Money to be advanced out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, for the Payment of the Expences incurred by any Commissioners appointed by such Lord Lieutenant or other Chief Governor or Governors, to form a Board of Health in any Town or District within the said County, it shall be lawful for the Grand Jury and they are hereby required to present, without previous Application to Presentment Sessions, all Sums so advanced to be raised off such County, or any Barony or Baronies thereof: Provided always, that it shall be lawful for the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, if they shall think fit, to direct that such Sum shall be repaid by such Instalments as they may think proper.

Lunatic Asylums, Erection of, where necessary.

1 & 2 G. 4. c. 33.

XXVII. And be it enacted, That at any Time after any Order in Council shall be made by the Lord Lieutenant of *Ireland*, by and with the Advice of Her Majesty's Privy Council in *Ireland*, under and by virtue of the Provisions of an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences in* Ireland, or any Act or Acts amending the same, and after such Order shall have been published in the *Dublin Gazette*, it shall and may be lawful for the Grand Jury of the said County at any Presenting Term to present, without previous Application to Presentment Sessions, such Sum or

Sums of Money, to be raised off such County at large, or any Barony or Baronies thereof, as shall be requisite for defraying the Expences of erecting and establishing an Asylum for the Lunatic Poor, or for erecting any Ward for the Reception of Idiots or incurable Lunatics for such District or any Proportion thereof, ascertained by any Order made by the said Lord Lieutenant and Privy Council.

Maintenance of Lunatic Asylums.

XXVIII. And be it enacted, That it shall be lawful for the Grand Jury of the said County, without previous Application at Presentment Sessions, to present, at each Presenting Term, to be levied off such County at large, or Barony or Baronies thereof, such Sum or Sums of Money as shall be necessary for the Expences of supporting, supplying, and maintaining any such Asylum, or the Officers thereof, or the Patients therein, or any Proportion of such Expences, ascertained by Order of the said Lord Lieutenant and Privy Council, under the Provisions of the said last-recited Act.

Repayment of Advances for Lunatic Asylums.

XXIX. And be it enacted, That whenever the Lord Lieutenant of *Ireland*, by and with the Advice of Her Majesty's Privy Council in *Ireland*, shall, under the Provisions of the said last-recited Act, or any Act amending the same, have ordered and directed any Sum or Sums of Money to be advanced, issued, and paid out of the growing Produce of the said Consolidated Fund arising in *Ireland*, for the Purpose of erecting and establishing, opening, carrying on, enlarging, maintaining, or supporting, any such Asylum, the Grand Jury of the said County shall and they are hereby required (after any such Asylum shall be fit for the Reception of such Lunatic Poor) to present at each Presenting Term, without any previous Application at Presentment Sessions, such Sum or Sums of Money, to be levied off such County at large, as shall be necessary for the Repayment of any such Sum or Sums so advanced, or any Part thereof, at such Times and in such Proportions as shall be directed and ascertained by any Order or Orders to be made by such Lord Lieutenant in Council as aforesaid.

Rents for same.

XXX. And be it enacted, That in each and every Case when the Commissioners appointed for general Control and Correspondence, and for the superintending and directing the Erection, Establishment, and Regulation of District Lunatic Asylums, shall have rented or purchased any Houses, Buildings, Lands, Tenements, or Hereditaments on the Site or Sites of which it shall be proposed to erect or maintain any such Asylum for the said County, it shall be lawful for the Grand Jury of the said County, and such Grand Jury are hereby required, at the Presenting Term next ensuing the Day or Time when such Purchase shall be made or such Rent shall become due, or as soon after as shall be requisite, and so from Time to Time whenever the Case shall happen, to present, without previous Application to Presentment Sessions, to be levied off such County at large, such Sum or Sums of Money as they shall be directed to present by the Lord Lieutenant of *Ireland* in Council as aforesaid, for the Purpose of completing such Purchase or paying such Rent or Rents.

XXXI. And

Fees to Coroners.

XXXI. And be it enacted, That it shall be lawful for the Grand Jury of the said County, at each Presenting Term, to present any Sum not exceeding in the whole the Sum of One hundred Pounds for each and every Coroner in such County, to be levied off such County at large, or any Barony therein, as such Grand Jury shall think advisable; and such Grand Jury shall apportion the whole of such Sum so presented among the several Coroners of such County according to the Number of Inquests which may appear to have been respectively held upon the Body of any Person by each of such Coroners since the Date of the last Application for a Presentment; and such Sums shall be paid to the Coroners respectively who shall have held such Inquests, and for whom such Sums shall have been presented: Provided always, that no Coroner shall receive more than at the Rate of One Pound Ten Shillings for each Inquest so held by him.

Certificates of Inquests held by Coroner.

XXXII. Provided always, and be it enacted, That it shall not be lawful for any Grand Jury to make any Presentment for any such Remuneration to any such Coroner, unless, together with the Application for the same at the County Presentment Sessions, there be laid before such Sessions a Certificate of each Inquest respectively taken by such Coroner, made and signed by such Coroner, in the Form following:

'I *A. B.*, a Coroner in the County of *Dublin*, do hereby certify, That on the Day of I held an Inquest
'on the Body of *C. D.* at in this County, and that
'the Names of the Jurors impannelled on such Inquest were as
'follows;
'and that the Names of the Witnesses examined before such Jurors
'were as follows;
'and that the Verdict of such Jury was
'All which I certify. Dated this Day of
A. B., Coroner of this County.'

And it shall be lawful for such Sessions or the Grand Jury, in case they shall so think fit, to examine any such Coroner upon Oath as to Matters relating to said Inquest, or as to the Truth of any such Certificate.

Coroner to summon as Medical Witness the nearest qualified Practitioner.

XXXIII. And be it enacted, That whenever any Coroner shall deem it necessary to hold any Inquest, and shall summon any Medical Witness to attend the same, he shall summon such legally qualified Medical Practitioner as shall reside nearest to the Place where such Inquest is to be taken, unless there be some sufficient Reason to the contrary.

Payment of Medical Witnesses.

XXXIV. And be it enacted, That for Payment and Remuneration of every Medical Witness who, having been summoned by any Coroner as aforesaid to attend at any Inquest, shall attend same, and, pursuant to the Directions which he shall receive from such Coroner, shall examine any dead Body, and give Evidence upon the Inquest taken thereon, it shall be lawful for the said Coroner and he is hereby empowered to sign and issue to such Medical Witness, upon obtaining his

his Receipt for same, an Order upon the Finance Committee of the County of *Dublin* for the Sum of One Guinea, and no more, for such Attendance, Examination, and Evidence as aforesaid; and if it should appear necessary to such Coroner that a Post-mortem Examination should be made by any such Medical Witness, it shall be lawful for such Coroner to order and direct that such Post-mortem Examination shall take place; and such Coroner shall and may in like Manner sign and issue to such Medical Witness, for every such Post-mortem Examination and Evidence, an Order upon the Finance Committee as aforesaid for the further Sum of One Guinea, upon obtaining a like Receipt; but in no Case shall any Coroner sign or issue to or for any Medical Witness, for or on account of any One Inquest, any Order for a greater Sum than the Sum of Two Guineas; and the Amount of all such Payments shall be presented by the Grand Jury, to be raised off the County at large, or any Barony thereof, in like Manner as the same presented for the Inquest whereat such Parties may attend: Provided always, that the Coroner shall certify to the Presentment Session of the Barony in which the Inquest was held the Amount and Particulars of all Sums so by him ordered to be paid.

Ordinary Examination One Guinea.

Post-mortem Examination Two Guineas.

Grand Jury may present for Fees to Medical Witnesses.

No Presentment if Coroner has not attended.

XXXV. Provided always, and be it enacted, That it shall not be lawful for any Grand Jury to present any Money to be paid to any Coroner who shall appear to them to have been guilty of Neglect of Duty in not attending to take any Inquest, or otherwise, nor in any Case to present any Money for the Remuneration of any Coroner for or in respect of any Inquest other than such as shall have been held since the Date of the Application for the last Presentment.

Maintenance of Constabulary.

XXXVI. And be it enacted, That it shall be lawful for the Grand Jury of the said County at each Presenting Term, and they are hereby required, to present, to be levied off the County at large, or off any Barony or Half Barony or any Portion of a Barony (as the Case may be), all and every such Sum or Sums of Money as may be chargeable upon and directed to be presented and levied off such County, Barony, Half Barony, or Portion of a Barony, by and under the Provisions of any Act or Acts for the Appointment, Maintenance, and Regulation of the Constabulary Force in *Ireland;* and every such Presentment shall be made without any previous Application to Presentment Sessions, and in all respects pursuant to the Regulations of the said Acts, or such of them as may be applicable to the Case; and the Money levied under every such Presentment shall be paid over in such Manner and to such Bank or Person as the said Commissioners of Her Majesty's Treasury, or any Three or more of them, shall direct, save and except in the Case of the Superannuations herein-after and by the said Acts, or any One of them, directed to be paid to the Parties entitled to the same: Provided always, that nothing herein contained shall extend or be construed to extend to authorize any Grand Jury to present any Sums of Money for the Maintenance or Support of the Constabulary to be raised off such Parts of the said County as are assessed for the Support of the Metropolitan Police, and exempted from Assessment for the Constabulary under an Act passed in the First Year of Her Majesty's

Reign, Chapter the Twenty-fifth, for the Regulation of the Metropolitan Police of *Dublin*.

Remuneration to Constables, &c. for bodily Injuries. 5 G. 4. c. 28.

XXXVII. And be it enacted, That whenever the Lord Lieutenant of *Ireland* shall, under and by virtue of the Provisions of an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend an Act of the Third Year of His present Majesty's Reign, for the Appointment of Constables in* Ireland, or under the Provisions of any other Act, have ordered any Sum or Sums of Money to be paid and advanced, out of the Produce of the Consolidated Fund of *Great Britain* and *Ireland* arising in *Ireland*, as an annual Remuneration or Superannuation to any Chief Constable, Constable, or Sub-Constable disabled by any Maim, Wound, or Hurt, or other grievous Injury received by him in the Execution or Performance of the Duty of his Office, and to be defrayed by the said County of *Dublin*, or any Barony thereof, it shall and may be lawful for the Grand Jury of the said County, and such Grand Jury is hereby required, upon the Production of the Certificate of the Chief Secretary of the Lord Lieutenant for the Time being, or of the Under Secretary, of the Amount of the Sum or Sums so paid and advanced out of the Consolidated Fund for the Superannuation of such Constables, to present (without previous Application to Presentment Sessions) One Moiety of such Sum or Sums so paid, advanced, and certified as aforesaid, to be levied off such County or Barony; and the same when levied shall be paid over in such Manner and to such Bank or Person as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall direct.

Superannuation to Magistrates, &c.

XXXVIII. And be it enacted, That it shall be lawful for the Grand Jury of the said County and they are hereby required to present (without previous Application to Presentment Sessions), to be raised off the County at large, such yearly Allowance, Superannuation, Compensation, Gratuity, or Remuneration as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall order, or at any Time have ordered, to be paid by such County, or such Proportion thereof as he or they shall direct or have directed to be paid to any Magistrate, Inspector, Deputy Inspector, County Inspector, Sub-Inspector, Chief Constable, Constable, or Sub-Constable, who has been or shall hereafter be superannuated by virtue of the Provisions of any Act or Acts now in force authorizing such Lord Lieutenant or other Chief Governor or Governors to grant such Superannuation; and such Allowance, Superannuation, Compensation, Gratuity, or Remuneration shall be presented during the Life of each Person so entitled thereto, on Proof to the Grand Jury from Time to Time that such Person is living.

Special Constables. 2 & 3 W. 4. c. 108.

XXXIX. And be it enacted, That when in the said County any Special Constable shall have been appointed by virtue of an Act of the Second and Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for amending the Laws in* Ireland *relative to the Appointment of Special Constables, and for the better*

better Preservation of the Peace, and the Justices of the Peace of such County, acting at a Special Sessions held for that Purpose, or the major Part of them, shall, in pursuance of the Powers given to them by the said Act, have made any Order or Orders upon the Finance Committee for the Payment to such Special Constables of a reasonable Allowance for their Trouble and Loss of Time, or to defray Expences incurred in providing Staves or other necessary Articles for such Special Constables, it shall and may be lawful for the Grand Jury of such County, and such Grand Jury is hereby required, to present (without previous Application to Presentment Sessions), to be raised off such County at large, or any Barony thereof, within which such Special Constables may have served, the Amount of all Sums paid by the Finance Committee pursuant to such Order or Orders.

Prosecutors and Witnesses.

XL. And be it enacted, That where any Person shall have been tried for any Felony or Misdemeanor whatsoever committed or alleged to have been committed in the said County of *Dublin*, it shall be lawful for the Court before whom such Person shall have been tried, in case it shall appear that there was a reasonable Ground of Prosecution, and Cause for the same being defrayed by the County of *Dublin*, to order the Finance Committee of the said County to pay to the Prosecutor, upon his Application, such Sum of Money as to such Court shall seem reasonable, not exceeding the Expences which it shall appear to the Court that such Prosecutor may have *bonâ fide* incurred in carrying on such Prosecution; and in case such Prosecutor shall appear to the Court to be in poor Circumstances, such Court may make a further reasonable Allowance to such Prosecutor for Trouble and Loss of Time, which Order the Clerk of the Crown or Clerk of the Peace respectively is hereby directed and required forthwith to make out and deliver to such Prosecutor, without Fee or Reward; and when any Person shall appear on Recognizance or Subpœna to give Evidence as to any Felony or Misdemeanor whatsoever committed or alleged to have been committed in the said County of *Dublin*, whether the Prosecution of such Felony be commenced or carried on by or under the Direction of any Law Officer of the Crown, or any other Person, it shall be lawful for the Court before which such Person shall appear, whether any Bill of Indictment be preferred or not to any Grand Jury, in case such Person shall have *bonâ fide* attended in obedience to such Recognizance or Subpœna, to order the Finance Committee of the said County to pay unto such Person such Sum of Money as shall seem reasonable, not exceeding the Expences which it shall appear that such Person has *bonâ fide* incurred by reason of the said Recognizances or Subpœna; and in case such Person shall appear to be in poor Circumstances, such Court may make a further reasonable Allowance to such Person for Trouble and Loss of Time, which Order the Clerk of the Crown or the Clerk of the Peace respectively is hereby directed and required forthwith to make out and deliver to such Person; and such Finance Committee is hereby authorized and required to pay to any such Prosecutor or Witness respectively, or to any Person by him or her authorized, any such Sum of Money so ordered; and the Grand

Jury of the said County shall, at each Presenting Term, present all Sums so paid to such Prosecutors and Witnesses respectively, to be raised either off the County at large, or upon any Barony thereof, as to such Grand Jury shall seem fit; and such Presentment may be made without any previous Application to Presentment Sessions.

Rewards for Information.

XLI. And be it enacted, That if it shall appear that any Person, having given Information or Evidence against any Person or Persons charged with any Offence against the public Peace, shall have been murdered or maimed within the said County of *Dublin*, previous to the Trial of the Person or Persons accused by such Information or Evidence, or of any of them, or on account of any such Evidence given, or that any Magistrate or other Peace Officer shall be murdered or maimed on account of his Exertions as such Magistrate or Peace Officer to bring Disturbers of the public Peace to Justice, it shall and may be lawful to and for the Grand Jury of the County to present, upon the Recommendation of the Lord Lieutenant, and without previous Application at Presentment Sessions, such Sum or Sums of Money as they shall think just and reasonable to be paid to the personal Representative of such Witness, Magistrate, or Peace Officer so murdered, or to such Witness, Magistrate, or Peace Officer so maimed, having regard to the Rank, Degree, Situation, and Circumstances of such Witness, Magistrate, or Peace Officer; such Money to be raised off the County at large, or the Barony in which such Murder or Maiming shall respectively have been perpetrated, at the Discretion of such Grand Jury.

Rewards for Apprehension of Offenders.

XLII. And be it enacted, That it shall be lawful for the Grand Jury of the said County, at any Presenting Term, if they shall think fit, to present, without any previous Application at Sessions, any Sum of Money not exceeding the Sum of Twenty Pounds for each and every Person who shall apprehend and prosecute to Conviction any Person guilty of any Murder, and any Sum not exceeding Ten Pounds for each and every Person who shall apprehend and prosecute to Conviction any Person guilty of any other Capital Felony, or of any Misdemeanor, for which any Person on Conviction may be liable to be transported; such Sum or Sums to be raised off such County, or any Barony thereof, as such Grand Jury shall think proper, and to be paid to any Prosecutor or Prosecutors of such Offenders as aforesaid; and such Presentment may be made during the Time appointed for transacting the Criminal Business of such County.

Removal of Offenders.

XLIII. And be it enacted, That upon the Removal of any Prisoner apprehended according to Law in any other Part of the United Kingdom, and charged with any Offence committed within the said County of *Dublin*, it shall be lawful for the Finance Committee of the said County, upon being satisfied that such Expences are reasonable in amount, and fairly chargeable upon the said County of *Dublin*, to repay, out of any Funds to their Credit, the Expences attending the Removal of such Prisoner; and the Grand Jury of the said County shall, at the next Presenting Term, present the Amount so paid to be raised off the County at large; and such Presentment shall,

shall be made without any previous Application to Presentment Sessions.

Maintenance of deserted Children.

XLIV. And be it enacted, That where, either previous to or after the First Day of *January* One thousand eight hundred and forty-five, any Child under the Age of Two Years shall have been or shall be left exposed and deserted in any Parish in the said County, and an Application shall have been made by any Two Cess-payers, with the Approval of Two or more Justices at Petty Sessions assembled, and such Application shall likewise have been approved at the Presentment Sessions for the Barony in which such Parish shall be situate, it shall be lawful for the Grand Jury of such County to present, to be levied off such Parish or any Portion thereof, any Sum not exceeding Five Pounds in the Year for the Maintenance of such Child; and such Sum so levied shall be paid to the Cess-payers making such Application, or such other Person or Persons as the Grand Jury shall direct, to be by them applied for the Purposes aforesaid: Provided always, that if the Baronial Presentment Sessions shall not approve of any such Application, or the Grand Jury of such County shall refuse or neglect to make such Presentment, it shall be lawful for any Judge of the Queen's Bench, upon the Complaint of such Cess-payers, to order such Sum as he shall think fit, not exceeding Five Pounds, to be raised upon such Parish or Portion thereof (in the same Manner as any Money presented by Grand Juries), for the Support of such Child, and to be paid in like Manner as herein-before provided for: Provided also, that in no Case shall any Sum be presented for the Support of any such Child after it shall have attained the Age of Twelve Years.

Salaries of County Officers, as per Schedule.

XLV. And be it enacted, That all County and other Officers and Persons mentioned and specified in the Schedule No. 15. to this Act annexed shall, from and after the First Day of *January* One thousand eight hundred and forty-five, be paid and remunerated for their respective Duties, Services, and Expences by annual Salaries, payable half-yearly by the Finance Committee, by equal Moieties, and not exceeding the Amount mentioned in the said Schedule; and the Grand Jury at any Presenting Term shall and may present (without previous Application to Presentment Sessions) for each such Officer, to be raised off the County at large, the Amount of such annual Salary as shall be agreed upon by said Grand Jury: Provided always, that in case of any negligent or insufficient Discharge of Duty by any such Officer or Officers, it shall and may be lawful to and for any Grand Jury, with the express Sanction of the Court, but not otherwise, to present any Sum or Sums less in the whole than the annual Salary by this Act specified to be paid to any such Officer or Officers, or to withhold and refuse to make any Presentment whatever for any such Officer or Officers: Provided always, that on any Vacancy occurring in the said Offices, as set forth in Schedule No. 15. of this Act, either by Death or otherwise, the Person or Persons appointed to fill said Offices shall be paid according to Schedule (S.) in the Act of the Sixth and Seventh Years of King *William* the Fourth, Chapter One hundred and sixteen.

XLVI. And

Clerk of Crown to make Return of Fees.

XLVI. And be it enacted, That before any Clerk of the Crown or Clerk of the Peace and other Officer in the said Schedule set forth shall be entitled to receive such Salary as is hereby provided, he shall at each Presenting Term lay before the Grand Jury an Account, verified on Oath, and sworn and read in open Court, setting forth the total Amount of his Fees and other Emoluments, and distinguishing the several Sums paid and received under each separate Head of Service, and the Rates of Fees or Remunerations received on each; and it shall not be lawful for any Grand Jury to present any Salary to be paid to any Clerk of the Peace unless it shall appear to them that he has given Security, by Recognizance, in the Sum of One thousand Pounds, for the due and faithful Execution of his Office of Clerk of the Peace, and that such Recognizance has been duly deposited or recorded.

Further Presentment in Cases of Special Commissions.

XLVII. And be it enacted, That in case at any Time a Special Commission shall be held within the said County for the Trial of Offenders, the Grand Jury, at the Presenting Term next immediately ensuing, shall and may, without previous Application to Presentment Sessions, make a further Presentment for the Clerks of the Crown, Sheriffs and Judges Crier, not exceeding One Fourth of their annual Salary, subject nevertheless to the like Direction as herein-before given to any Grand Jury in case of Neglect or insufficient Discharge of Duty by any Officer.

Presentment for Secretary shall include Stationery.

XLVIII. And be it enacted, That the Presentments to be made under this Act for the Secretaries of the several Grand Juries shall be in full Acquittance of all Demands to be made by such Secretaries for Stationery, which such Secretaries shall be bound to furnish to the several Grand Juries without further Charge, not however including the Expence of printing herein specially provided for; such Stationery however shall not be understood to include any Books, Notices, or Abstracts which may be herein required, or which may be necessary for keeping the several Accounts of the County; and it shall be lawful for the Grand Jury to present such Sum or Sums as may be necessary for defraying the Expence of same.

Registry Books and Lists.

XLIX. And be it enacted, That it shall be lawful for the Grand Jury of the said County at each Presenting Term, without previous Application to any Presentment Sessions, and they are hereby required to present all such Sum or Sums of Money as may be necessary to defray the Expence of providing and printing all such Registry Books and Lists of registered Voters as are or shall be required to be provided and printed by the several Acts now in force for regulating the Election of Members to serve in Parliament in *Ireland*, to be paid to the Person or Persons who shall have contracted for supplying and printing such Books or Lists, such Sums to be raised off the County at large.

Weights and Measures.

L. And be it enacted, That it shall be lawful for the Grand Jury of the said County to present, to be raised off such County at large, the Expence of providing and transmitting such Copies of the Imperial Standard Weights and Measures, and the Stamps to be used by the

Inspectors of Weights and Measures, as they are respectively directed to provide and transmit under and by virtue of an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the Fourth and Fifth Years of His present Majesty relating to Weights and Measures, and to make other Provisions instead thereof.*

5 & 6 W. 4. c. 63.

Suing Officers, &c.

LI. And be it enacted, That it shall be lawful for the Grand Jury of the said County to present, to be levied off such County at large, without previous Application at Presentment Sessions, such Sum or Sums of Money as may be necessary, or shall have been expended under the Direction of the Judges of the Court of Queen's Bench, or any Grand Jury or any Finance Committee, for or in suing any Treasurer, High Constable, or Collector of any public Money, or any of their Sureties, Executors, or Administrators, for any Misconduct, Breach of Duty, or Nonpayment, or for recovering any public Money from any Treasurer, High Constable, or Collector, or their Sureties, Executors, or Administrators, or for suing any Contractor under this Act, or under any Act in force in *Ireland* at the Time of the passing of this Act, his Sureties, Executors, or Administrators, for any Breach of Contract, or any other necessary Costs attending Grand Jury Business: Provided always, that no such Presentment shall be made unless there shall have been laid before such Grand Jury a Bill, duly taxed and certified by the proper Taxing Officer, of the Costs incurred for any of the Purposes aforesaid, for which such Presentment shall be required, nor unless it shall be proved that such Costs could not be received from the Person sued, or any other Person liable to pay the same, and that the Proceeding was instituted by the Direction of the Judges of the Court of Queen's Bench, or a Grand Jury at some previous Presenting Term, or the Finance Committee.

Valuation Commissioners.

7 G. 4. c. 62.

LII. And be it enacted, That whenever the Lord Lieutenant of *Ireland*, by virtue of the Powers and Authorities given to him by an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make Provision for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in* Ireland, *for the Purpose of the more equally levying of the Rates and Charges upon such Baronies, Parishes, and Divisions respectively*, and any Act amending the same, shall have ordered and directed any Sum or Sums of Money to be advanced out of the Produce of the Consolidated Fund of the United Kingdom arising in *Ireland*, for the defraying of the Salary or the travelling or other Expences of any Commissioner of Valuation, or for defraying the Allowances of any Valuators appointed under the Provisions of the said recited Acts, or any of them, for Purposes appertaining to the Valuation of the said County, it shall and may be lawful for the Grand Jury of the said County, and they are hereby authorized and required, on the Production of the Certificate of the Chief Secretary of such Lord Lieutenant, or of the Under Secretary, of the Amount of Money advanced and paid as aforesaid, to present, (without previous Application to Presentment Sessions), to be levied off the County, or any Barony or Baronies therein, the Amount of the Sum or Sums stated in such Certificate,

in such Manner and in such Proportions as the said Lord Lieutenant shall direct; and when and so soon as the Sum or Sums so to be presented as aforesaid shall be raised and received, it shall be paid over by the Finance Committee in such Manner, and to such Bank or Person, as the said Commissioners of Her Majesty's Treasury shall direct.

Lowering Hills, building and repairing Bridges, Gullets, &c. either on County or Barony.

LIII. And be it enacted, That it shall be lawful for the Grand Jury of the said County, Application having been previously made at Presentment Sessions as herein-after directed, to present such Sum or Sums of Money as may be necessary for lowering any Hill, or filling up any Hollow, or both, on any public Road, and for making the Road thereon, with Stones and Gravel, or for building, rebuilding, repairing, altering, or enlarging any Bridge, Pipe, Arch, or Gullet, built of Stones or Bricks or Wood, under or on any such Road, or filling or gravelling over any such Bridge, Arch, Pipe, or Gullet, or for building or repairing any Wall or Part of a Wall necessary to the Support of, or to prevent any steep Banks of Earth from falling upon, any such Road, or for erecting any Fence, Railing, or Wall for the Protection of Travellers from dangerous Precipices or Holes on the Side of any public Road, to be raised either off the County at large, or off the Barony or Baronies in which the same may be locally situate.

Where Road or Stream is a Boundary.

LIV. And be it enacted, That where a River or Stream or where any Road is the Boundary between the County of *Dublin* and any other County, so as that one Side of such Road shall be in the said County and the other Side in another County, it shall not be lawful for the Grand Jury of either County to present, to be raised on either County, or upon any Barony of either County, more than One Half of the Sum required for building, rebuilding, repairing, enlarging, or altering any Bridge, Pipe, Arch, or Gullet over such Stream or River, or for repairing, making, or widening any such Road; and no Application for Payment on account of any such Presentment shall be allowed, unless an equal Sum shall have been presented to be raised for the said Work on the adjoining County, or some Barony thereof.

Presentments on Baronies for— Widening and repairing Road, and filling up Ditches.

LV. And be it enacted, That it shall be lawful for the Grand Jury to present any Part of any public Road to be widened to any Breadth not more than Fifty Feet in the clear, or to narrow such Roads as the Surveyor may report to be unnecessarily wide, and to present all such Sum or Sums of Money as shall be necessary for widening and fencing the same, or for gravelling, macadamizing, paving, fencing, repairing, or otherwise improving any Part of any public Road, or for filling up any Grips or Trenches on the Sides of any public Road, and making sufficient Fences instead thereof, or for filling Dikes or Holes on the Sides of any public Road, or turning the Backs of Ditches to any Road, or for making, widening, or deepening Drains on the Side of any such Road, and carrying off the Water therefrom, or for making any Barony Pounds, to be levied off the Barony or Baronies where the same shall be situate, and, on a Requisition signed by any Twenty Rate-payers in any Parish, to present any Sum

Barony Pounds.

Sum not exceeding Twenty Pounds for erecting a Parish Pound within any such Parish, and such Pound when so made shall be to all Intents and Purposes a good, sufficient, and lawful Pound, and the Sum so presented shall be applotted and levied upon such Parish.

Footpaths, making and repairing.

LVI. And be it enacted, That it shall be lawful for the Grand Jury of the said County at any Presenting Term to present any Footpath to be made or repaired along the Side of any Road for which they may have Authority to make Presentment, and to present such Sum or Sums of Money as may be necessary for making or repairing the same, to be levied off the Barony or Baronies in which such Footpath shall be locally situate.

Repairs of Roads and Footpaths by Contract not exceeding Five Years.

LVII. And be it enacted, That it shall be lawful for the Grand Jury of the said County to present any public Road within such County, or any Part of such public Road, or any Footpath upon the Side of such Road, to be gravelled or repaired with broken Stone, or the Battlements of any Bridge upon such Road to be kept in sufficient Order and Repair, by Contract, for any Space of Time not exceeding Five Years, and also from Time to Time to present such Sum or Sums of Money as shall be necessary for the Execution of any of the above-mentioned Works, and the Payment of the Person or Persons with whom such Contract for the Execution of the same shall have been made, to be levied or raised off any Barony or Baronies in which such Road may be locally situate, and when it passes through more than one Barony then proportionally on each Barony: Provided always, that in case it shall appear to any District Surveyor, at any Time during the Continuance of any Contract for keeping any Road in repair, that such Road is not in proper Repair, he shall require the Contractor to put the same in repair; and if such Contractor shall neglect to do so within Ten Days after he shall have been so required, such Surveyor shall cause the same to be repaired, and the Expence thereof shall be deducted and repaid out of the Sum which would be payable to such Contractor if the Road had been kept in proper Repair.

New Roads, Application being previously lodged with Secretary, and Notice served on Occupier.

LVIII. And be it enacted, That it shall be lawful for the said Grand Jury at any Presenting Term to present any new Road to be laid out and made of any Width not less than Sixteen Feet nor more than Fifty Feet in the clear, and to present all such Sum and Sums of Money as shall be necessary for laying out, or for forming, levelling, and draining, or for gravelling, paving, and making the same, and also for making Fences thereto, to be levied on the Barony in which the same shall be situate, and when it passes through more than one Barony then proportionally on each Barony: Provided always, that no Presentment shall be made for laying out any such new Road, unless, together with the Application therefor, a Map of such intended new Road has been lodged with the Secretary of the Grand Jury Ten Days at least before the Day for holding the first Presentment Sessions previous to each Presenting Term in such County, and that a Notice, setting forth that an Application is intended to be made for a Presentment to lay out such new Road, (distinguishing

(distinguishing the several Townlands and Baronies through which it is intended to be carried, with the Number of Perches in Length through each Townland,) has been personally served upon or left at the House of each Occupier of the Land through which such new Road is intended to be made Fifteen Days at least before the Day of holding such Sessions, nor unless it shall appear that no Part of such new Road is to be made through any Park enclosed with a Wall built of Lime and Stone or Bricks Five Feet high or more, without the Consent of the Owner thereof, and that no Part thereof is to be made through any House entirely built with Lime and Stone or Bricks, or through any Office belonging to any Person inhabiting a House so built, without the Consent of such Person.

Surveys for new Roads may be authorized on Certificate of Justices.

LIX. And be it enacted, That it shall be lawful for any Person or Persons to survey and measure any Line intended for a new Road for which a Presentment is to be applied for, and for that Purpose to enter in and upon any Lands or Premises through which such intended Line may pass; provided, that such Person or Persons shall be thereunto authorized by a Certificate in Writing under the Hand of One of the District Surveyors, stating that such Survey and Entry to make the same is proper, and that such Certificate shall be allowed by Two Justices of the Peace for the said County, such Allowance being signified under their Hands by Endorsement upon such Certificate.

New Road not to be used for certain Time;

Penalty, Twenty Shillings.

LX. And be it enacted, That it shall be lawful for any Two Justices of the Peace of the said County, upon the Application of any of the District Surveyors, to forbid any Person or Persons from riding or driving any Kind of Beast or Carriage on any new Road for such Space of Time as shall to them appear necessary, not exceeding Six Months after such new Road shall have been made; and any Person who shall wilfully disobey such Order, the same being duly notified by a Notice affixed to a Board or Boards erected upon such Road, shall be liable to be fined any Sum not exceeding Twenty Shillings for each Offence, to be imposed by any Justice of the Peace of the said County, on his own View, or on the Evidence of any One competent Witness, and levied off the Goods and Chattels of such Offender by Warrant under the Hand and Seal of such Justice.

Stopping up old Road.

LXI. And be it enacted, That it shall be lawful for the Grand Jury of the said County, after Application made and approved of at the preceding Presentment Sessions, to present any old Road in the said County which may appear to them to be useless to be stopped up, to every which Presentment it shall be lawful for any Person to enter a Traverse at the then or the next Presenting Term; and if such Traverse shall not be tried within a Year after such Presentment shall be made, and a Verdict had in favour of such Traverse, the Presentment shall stand good and valid to all Intents and Purposes.

Board of Works, on Requisition from Post Office, may repair Post Roads.

LXII. And whereas it is expedient that Provision should be made for the more speedy and effectual Repair of Roads upon which Her Majesty's Mails are carried; be it therefore enacted, That it shall be lawful for the Commissioners acting under and in execution of

1 & 2 W. 4. c. 33.

of an Act passed in the First and Second Years of the Reign of His said late Majesty, intituled *An Act for the Extension and Promotion of public Works in* Ireland, or any other Act for amending the same, upon the Application of Her Majesty's Postmaster General for the Time being, setting forth and describing the Line of any such Road, or the Portion of any such Road, in the said County of *Dublin*, which may stand in need of Repair, by and with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to cause such Road, or such Portion thereof as shall be described in such Application, and any or every Bridge, Arch, or Pipe, Gullet, or Wall thereon, to be forthwith put into good and sufficient Repair accordingly, under the Superintendence of One of the County Surveyors; and that upon the Application of the said Commissioners, setting forth what Sum will be requisite and necessary from Time to Time for the Purposes aforesaid, it shall and may be lawful for the Lord Lieutenant of *Ireland* to direct, by his Warrant, that the Sum or Sums of Money so required by the said Commissioners shall be advanced and paid to the said Commissioners out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to be applied under the Directions of the said Commissioners in manner aforesaid.

The Board may employ Persons to execute the Works in certain Cases.

LXIII. And be it enacted, That in all Cases in which, under the Powers vested in them by Law in that Behalf, the Commissioners of Public Works in *Ireland* shall agree with the Grand Jury of the County of *Dublin* to grant One Moiety of the Expence of any Road or other public Work, on such Grand Jury bearing the Payment of the other Moiety thereof by Presentment, it shall and may be lawful to and for the said Commissioners either to execute the said Work by Persons employed by them, or to permit such Grand Jury to cause the same to be executed in the Manner required by the said recited Act or this Act in other public Works of the like Nature: Provided always, that it shall not be lawful for such Grand Jury in any Case to make a Presentment for Payment of such Moiety, except after and upon an Application for such Work duly made to and approved at a Presentment Sessions in the Manner required by the said Act.

Power of the Board over Works executed by them. 1 & 2 W. 4. c. 33.

LXIV. And be it enacted, That whenever the said Commissioners of Public Works in *Ireland* shall, under the Provisions of this Act, or of the said Act of the First and Second of *William* the Fourth, intituled *An Act for the Extension and Promotion of public Works in* Ireland, have undertaken the Repair and Maintenance of any public Road, it shall and may be lawful for the said Commissioners at all Times thereafter to exercise all and every the same Powers and Authorities which are herein vested in any Surveyor or Contractor of the said County Roads, or otherwise howsoever, or as the said Commissioners, by the Act of the Sixth of *George* the Fourth, Chapter One hundred and one, intituled *An Act to provide for the repairing, maintaining, and keeping in repair certain Roads and Bridges in* Ireland, are invested with, as far as the said Commissioners may consider the same or any of them necessary for the Preservation and good Order of such Roads, and the Removal of all Nuisances thereon, as also for the Purpose of

obtaining

obtaining Materials for such Repairs or Maintenance which they shall have to undertake.

Grand Jury shall present Sums to be expended for such Roads, &c.

LXV. And be it enacted, That whenever any such Road or Bridge, or any Portion thereof, not being a Turnpike Road or Bridge, shall be so put in good and sufficient Repair, under the Direction of the said Commissioners, the Secretary to the said Commissioners shall deliver or cause to be delivered to the Secretary of the Grand Jury of the said County a Certificate of the Amount of Money which shall have been so expended upon the Repair of any such Road or Bridge, or any Portion thereof, and the other Expences aforesaid, together with an Account of the Items of such Expenditure, certified by the said County Surveyor or other Person employed; and every such Certificate and Account shall at the next or some succeeding Presenting Term be laid before the Grand Jury of any such County, and thereupon the Grand Jury shall make Presentment of the Amount of such Expences, as stated in such Certificate, to be raised off the Barony or Baronies in which such Road shall be situate; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received it shall be paid over by the Finance Committee to such Bank or Person as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall direct, or to such Person or Persons and in such Manner as may be directed by the Paymaster of Civil Services in *Ireland*.

Expence of Bridges to be partly in County of Dublin and partly in adjoining County.

LXVI. Provided always, and be it enacted, That wherever any Bridge which shall be repaired by the said Commissioners as aforesaid shall be situate partly in the said County of *Dublin* and partly in another the Expence of repairing such Bridge shall be borne and defrayed equally by such Counties, and the Certificates and Presentments by this Act required shall be framed and made accordingly.

Mode of making Presentments.

Magistrates and associated Cesspayers shall hold Presentment Sessions.

Magistrates shall appoint Chairman.

LXVII. And be it enacted, That it shall be lawful to and for every Justice of the Peace in and for the said County of *Dublin*, not being a Stipendiary Magistrate, to attend, and all such Justices are hereby required to assemble from Time to Time, and with the Cesspayers associated with them as herein-after appointed to hold a Special or Presentment Sessions for the Purposes of this Act, in such Place and Places, and at such Time and Times, within such County, as the Grand Jury shall have appointed pursuant to the Provisions herein-after following; and at every Meeting of such Presentment Sessions, whether for One District or for the County at large, the Majority of the Justices then present shall choose One of their Number to preside thereat, and that when only Two Justices shall be present the senior of them shall preside, and that when only One Justice shall be present such Justice shall preside; and such Chairman shall have in addition to his Vote a casting Voice, in case of an Equality of Voices.

Grand Jury, each Presenting Term, shall fix

LXVIII. And be it enacted, That it shall be lawful for the Grand Jury of the said County and they are hereby required, at the *Michaelmas* Term next after the passing of this Act, and at every succeeding

Districts, Places, and Times for Presentment Sessions.

succeeding Presenting Term, to appoint by Presentment certain Districts, consisting of One or more Barony or Baronies, for holding Presentment Sessions, and also certain Places within the County, *videlicet*, one in each District, where, and certain Times when, Presentment Sessions shall be successively holden, previous to the then next Presenting Term, for the Purposes of this Act, as herein-after set forth, and such Presentment shall appoint the Hours of the Day between which such Sessions shall be respectively holden, and such Presentment shall appoint the last Meeting of such Sessions to be holden at the County Court House of *Kilmainham* for the County at large; and it also shall be lawful for the Grand Jury at every such Presenting Term to direct by Presentment what Number of Copies of the Schedules of Applications to be made at each such Sessions shall be printed and distributed by the Secretary of the Grand Jury.

Collectors shall make Returns of One hundred highest Cess-payers in each District to Grand Jury.

LXIX. And for the Purpose of enabling the Grand Jury to prepare such List of Cess-payers as herein-after mentioned, be it enacted, That every High Constable or other Collector of Money levied by Grand Jury Presentment shall, on the Day when the Grand Jury shall be first impannelled at *Michaelmas* Term next after the passing of this Act, and at each succeeding Presenting Term, deliver to the Secretary of the Grand Jury a Return of the Names and Places of Residence of the One hundred Persons, being Males of full Age, if so many there be, and if not, then of the whole Number of Persons resident or in actual Occupation of Lands, Houses, or Tenements in each District in said County, who, not being in Holy Orders, nor any Minister of Religion, and not being Justices of the Peace, shall have been charged with and shall have paid for Land or Houses actually occupied by them the highest Sum or Sums for Grand Jury Rates or Cess for and in respect of any Lands or Houses in such District under the last previous Applotment, and that in such List he shall set forth the Sum so paid by each such Cess-payer respectively, and shall classify them according to the Amount paid by each, and that the Secretary shall immediately lay such Return before the Grand Jury.

Grand Jury shall fix Number of Cess-payers to be appointed with Magistrates, not less than Five nor more than Twelve, for each District; and shall reduce List furnished by Collectors to Treble that Number.

LXX. And be it enacted, That every such Grand Jury as aforesaid shall fix and determine the Number of Persons, not being more than Twelve nor less than Five, proper, with reference to the Extent and Circumstances of each District, to be associated with the Justices at the Presentment Sessions to be holden therein for the Purposes of this Act, and shall from the Return aforesaid make out a List of Treble the Number so determined upon of Persons, with their Additions and Abode, who, being Males of full Age, resident on and in actual Possession of Lands, Houses, or Tenements within such District respectively, shall, according to the Return aforesaid, have paid the highest Sum or Sums for Grand Jury Rates under the last previous Applotment in each such District respectively: Provided always, that at every Presenting Term after the First Day of *January* One thousand eight hundred and forty-five, except the first, the Grand Jury shall before they shall make out such List strike out of the Return aforesaid the Names of One Half of the Persons whose Names appeared on the List made at the then preceding Presenting Term, selecting

selecting in the first instance the Names of the Cess-payers who were associated and acted with the Justices at the Presenting Sessions.

Manner of determining the Persons who shall be associated with the Justices to constitute Presentment Sessions Districts.

LXXI. And be it enacted, That the Grand Jury shall then cause the Name of every Person in such List for each District to be written upon separate Pieces of Parchment or Card, as nearly as may be of equal Size, with his respective Additions and Abode, which shall be put into a Box for that Purpose provided by the Secretary of the Grand Jury; and the acting Foreman shall in open Court draw out one after another such Number of the said Cards or Pieces of Parchment as the said Grand Jury may have fixed and determined to be the proper Number of Cess-payers to be associated with the said Justice or Justices at each such Sessions respectively; and such Number of the said Cess-payers so first drawn shall be associated with the said Justice or Justices, and shall with such Justices constitute the Presentment Sessions for such District, and have and exercise, jointly with such Justice or Justices, all Power and Authority in the Business of such Sessions.

Secretary of Grand Jury shall notify Appointment to such Cess-payers.

Justices and Cess-payers to subscribe Declaration.

LXXII. And be it enacted, That the Secretary of the Grand Jury shall forthwith signify by Letter to each such Cess-payer that he has been thus chosen as a Member of the Presentment Sessions for his respective District, and shall notify to him the Day on which such Sessions are to be held; and every Justice shall, previously to acting at any Presentment Sessions, whether for any District, or for the County at large, make and subscribe in open Court the Declaration contained in the Schedule marked No. 1. to this Act annexed; and that every Cess-payer associated with such Justice or Justices in manner aforesaid shall, previously to acting at any such Sessions, make and subscribe in open Court the Declaration contained in the Schedule marked No. 2. to this Act annexed, which said Declaration any One of such Justices, or the Secretary of the Grand Jury, is hereby authorized and required to administer; and the Chairman at each such Sessions shall and he is hereby required to make out and deliver to the Secretary of the Grand Jury a List of the Names of all Justices and Cess-payers who shall have made and subscribed such Declarations respectively at the Sessions where he had presided; and every such Secretary shall from Time to Time, without unreasonable Delay, deliver the said List, and all the Declarations so made and subscribed, to the acting Clerk of the Peace, to be by him preserved among the Records of the same County: Provided always, that if none of the Cess-payers so chosen shall attend any Presentment Sessions to be held under this Act it shall be lawful for such Justice or Justices alone to do all Matters and Things authorized by this Act to be done thereat by the Justices and Cess-payers associated in the Business thereof.

Two Cess-payers shall be selected at Baronial Sessions, and shall, with Justices, constitute

LXXIII. And be it enacted, That the Justices and Cess-payers at each District Presentment Sessions shall select Two of the Cess-payers for such District to be associated with the Justices of the County as a Member of the Presentment Sessions for the County at large; and the Secretary of the Grand Jury shall make out a List of the Persons so chosen at each District Sessions, and shall read out the same

Presentment Sessions for County at large.

previous to the Appointment of the Chairman for the Presentment Sessions for the County at large; and the Persons so chosen shall together with the Justices as aforesaid form the Presentment Sessions for the County at large.

Applications for Persentments.

LXXIV. And be it enacted, That all Applications for Works the Expence whereof it may be by such Application proposed to levy off the County at large shall be made at the Presentment Sessions to be holden for the County at large, and all Applications for Works the Expence whereof may be proposed as aforesaid to levy off any Barony shall be made at such Presentment Sessions as shall be holden for such Barony: Provided always, that all Applications for the Works hereinafter mentioned shall be made at the Presentment Sessions holden for the Barony in which the Works included in such Applications may be locally situate; (that is to say,) all Applications for lowering any Hill or filling up any Hollow, or both, on any public Road, and for making the Road thereon with Stones and Gravel, or for building, rebuilding, repairing, altering, or enlarging any Bridge, Pipe, Arch, or Gullet built of Stones or Bricks or Wood, under or on any such Road, or filling or gravelling over any such Bridge, Arch, Pipe, or Gullet, or for building or repairing any Wall or Part of a Wall necessary for the Support of or to prevent any steep Banks of Earth from falling upon any such Road, or in erecting any Fence, Railing, or Wall for the Protection of Travellers from dangerous Precipices or Holes lying on the Side of any public Road, or for maintaining any Dispensary.

Presentments to be made in Barony in which larger Part of the Work is situate.

LXXV. And be it enacted, That the Applications for any new Works which it is proposed to charge upon Two or more Baronies in different Presentment Sessions Districts of the said County, but not upon the County at large, shall and may be made at the Presentment Sessions holden for the Barony off which it is proposed that the larger Portion of the Expence of such Work is to be raised, without making the same at the Presentment Sessions for each of such Baronies.

Applications shall be lodged with Secretary Twenty-one Days before Presentment Sessions.

LXXVI. And be it enacted, That every Application to be made at Presentment Sessions shall be lodged with the Secretary of the Grand Jury Twenty-one Days at least before the Day appointed for the holding of the first Presentment Sessions in such County next before each Presenting Term; and such Secretary shall keep an Office open for the Purpose of receiving such Applications during Ten Days immediately preceding the last Day upon which such Applications are required to be lodged with the Secretary; and the said Applications shall be open to public Inspection without Fee or Reward; and such Secretary shall, on the Receipt of each Application, endorse or cause to be endorsed thereupon the Time when the same is lodged, and number and arrange all such Applications, as the Works therein comprised may be proposed to be defrayed by the County at large or by any Barony thereof, and shall make an Abstract thereof and an Index thereto, referring to the Numbers which he shall mark on each Application, and cause the same to be printed and distributed, and a Copy thereof posted in each District; and such Secretary shall produce and deliver all the Applications which shall have been lodged with

Secretary shall have an Abstract and Index printed, and posted in District.

with him or delivered at his Office as aforesaid at the Sessions Proper, as herein-before provided, for the Consideration of the same, together with the Abstract thereof and the Index thereto.

District Surveyor may make Application at Sessions for necessary Works not otherwise applied for.

LXXVII. And be it enacted, That the District Surveyor shall examine all the Applications so lodged with the Secretary of the Grand Jury as aforesaid; and in case no Application shall have been made for the necessary Surface Repairs of any public Road or Footpath, or for keeping up any public Road or Footpath during the ensuing Year, or the keeping open of any Drain adjoining any public Road, or any other public Work which to the said Surveyor shall appear necessary, or likely to become necessary during the ensuing Year, it shall be lawful and he is hereby required to make Application for the same in the Manner herein-after appointed at the next Presentment Sessions to be holden for the County at large or Barony by which the Expence of such Work ought to be defrayed; and it shall not be necessary for the said Surveyor to lodge any Application made by him with the Secretary of the Grand Jury, but such Application, being delivered to the Chairman at such Sessions, shall be dealt with thereat in all respects in the same Manner as the other Applications which shall have been lodged with the Secretary of the Grand Jury.

Manner and Form of Application.

LXXVIII. And be it enacted, That every Application to Presentment Sessions for any Presentment other than a public Work shall be made by or on behalf of the Person or Persons requiring such Presentment; and every Application to any such Sessions for any public Work shall be made by Two Persons paying Grand Jury Cess who can read and write, or by the District Surveyor; and every Application to Presentment Sessions, whether for a public Work or any other Purpose whatsoever, shall set out the Title to the Act authorizing such Presentment, with the Year of the King's and Queen's Reign, Chapter and Section, as printed by Her Majesty's Printer, and shall specify the probable Expence of the proposed Work, and whether the Money proposed to be raised thereunder is to be levied off the County at large, or some or what Barony or other Denomination of Land thereof, and shall be made in some one of the Forms contained in the Schedule annexed to this Act, and marked Schedule No. 3., No. 4., No. 5., No. 6., and so forth, when any of such Forms shall be found fitting and suitable; and every such Application shall be signed by the Person or Persons by whom the same shall respectively be made, with his or their own proper Hands; and it shall not be lawful, save as herein-after provided, for the Secretary of the Grand Jury to receive any Application which shall not have been made in manner and form herein appointed.

Applications shall be considered and decided on at Sessions.

LXXIX. And be it enacted, That at each Presentment Sessions to be holden as herein-before provided the Justices and Cess-payers associated in the Business of such Sessions shall take into consideration all such Applications as may be laid before them in manner aforesaid, and examine into the posting or serving of the Notices of all such Applications, when a Notice shall be necessary, and into the Merits of such Applications, and the Conformity thereof with the Provisions

Provisions of this Act; and the said Justices and Cess-payers shall after such Examination decide by Majority of Voices upon every such Application, and whether the same ought to be adopted or rejected, and whether wholly or in part, or conditionally in the event of the Expence thereof not exceeding a certain specified Sum, and what Modification thereof, if any, may be proper; and if such Justices and Cess-payers shall approve of any proposed Work, either wholly or in part, or conditionally, or of any Modification thereof, they shall, where necessary, save in the Case of Applications herein-after otherwise provided for, direct the Surveyor to prepare a proper Form of Tender for the Execution of the same, together with such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and, if the Sessions shall so direct, the Quantity *per* Perch, and the Description of the Materials proper to be employed in performing and executing the same, and the Term within which such Work ought to be completed, and the probable Cost of maintaining the same for at least One Year, and such other Particulars as said Justices and Cess-payers shall think fit; and such Chairman shall endorse all Applications accordingly, which shall be adopted and approved, and sign his Name thereto, and deliver all such Applications so endorsed to the Secretary of the Grand Jury; and such Surveyor shall deliver such Form of Tender, Specifications, Maps, Plans, Sections, or Elevations in respect of the Work to which each Application shall relate, as soon thereafter as the same can be conveniently prepared, to the Secretary of the Grand Jury; and the said Justices and Cess-payers shall adjourn such Sessions until some Day not sooner than Twenty-one Days after the Fiating Day of the then ensuing Presenting Term.

Sessions shall then adjourn to some Day not sooner than Twenty-one Days after Fiating Day of Presenting Term.

Mode of proceeding if Sessions refuse to approve of necessary Work.

LXXX. And be it enacted, That in case the Justices and Cess-payers (at any Presenting Sessions) shall refuse to approve of any Applications made for any public Work it shall be lawful for any of the Persons who made Application at such Sessions for such Work to present a Memorial to the Judges of the Court of Queen's Bench at the Presenting Term for the County, stating such Application, and the Disapproval thereof at the Presenting Sessions, and praying that the Judges may direct the Grand Jury to make a Presentment for such Work; and such Memorial shall be lodged with the Secretary of the Grand Jury at least Six Days before the first Day of such Presenting Term, and the Person presenting such Memorial shall also cause to be inserted in some Newspaper published or circulated in the County Notice of his Intention to apply at the next Presenting Term for such Order, and such Notice shall be published at least Three Times before the first Day of such Presenting Term; and upon Proof that such Memorial and Notices were lodged and published as hereby required it shall be lawful for the Judges of the Court of Queen's Bench, or any of them, to cause a Jury to be impannelled to try and inquire whether such Work is a proper one to be executed, and, if so, to ascertain and state the Expence thereof; and if the Jury shall find that such Work is a proper Work to be executed it shall be lawful for the Judge, if he shall think fit, to direct the Grand Jury to present that such

such Work shall be done either for the Sum stated by the Jury to be sufficient for the Execution thereof, or such lesser Sum as they shall think proper, or to refuse to make such Presentment: Provided always, that no such Memorial shall be proceeded upon unless the Memorialist shall, at the Time of lodging such Memorial with the Secretary, deposit with him the Sum of Twenty Pounds as a Security for such Costs and Expences as the Judge shall direct to be paid thereout to any Person or Persons who may appear to oppose such Application, or any Witness summoned to attend on the hearing of the Application.

Sessions may approve of Contract for Five Years.

LXXXI. And in order to lessen the Expence of keeping public Roads in repair, and to obviate the Necessity of making frequent Applications to Presentment Sessions, be it enacted, That whenever any Application shall be made in the Manner herein-before provided for gravelling or repairing with small Stones any public Road, or for keeping open the Drains on the Side of any public Road, or for gravelling or repairing any Footpath on the Sides of any such Road, or for repairing the Battlements of any Bridge upon any such Road, the Justices and Cess-payers associated in the Business of such Sessions shall consider whether it may not be proper to contract for keeping such Road or Footpath in repair; and if they shall be of that Opinion, they shall fix and determine the Period, being not more than Five Years, for which it is expedient that a Contract should be made for that Purpose; and the Surveyor shall insert such Period in his Specification and Form of Tender for such Works.

In Cases of Absence or Death of Party making the Application, Sessions shall decide.

LXXXII. And be it enacted, That in case any Person who shall have signed any Application in pursuance of this Act shall die, or be prevented by Sickness or any unavoidable Necessity from appearing at such Sessions, it shall be lawful for the Justice or Justices and Cess-payers thereat, or for the Grand Jury, to examine any other Person or Persons who shall have Knowledge of the Matter, and to decide upon such Application, any thing herein contained to the contrary notwithstanding.

Secretary shall have Schedules of approved Applications printed, and shall lay same before Grand Jury.

LXXXIII. And be it enacted, That so soon as may be possible after the Presentment Sessions shall have been holden at all the Places and Times appointed therefor in such County the Secretary of the Grand Jury shall prepare and make Schedules of the Contents of all Applications, save and except the Applications to be certified as herein-after provided, approved of wholly or in part, and which may have been delivered to him for such Purpose by the Chairman at each Sessions, including in One Schedule all such Applications for Works proposed to be charged and raised on the County at large, and in other separate Schedules (*videlicet*, One for each Barony,) all such Applications for Works proposed to be levied upon each Barony, arranging all such Applications in alphabetical Order, and noting on the Face of each Schedule the Particulars of the Decision of the Presentment Sessions on each Application; and such Secretary shall forthwith cause Copies of such Schedules to

be printed and distributed in such Manner as shall have been authorized and directed by Grand Jury Presentment at the Presenting Term immediately preceding; and the said Secretary shall deliver a Copy of such Schedules to the High Sheriff of the County for the Time being, and to each Surveyor, and shall, on the Day when the Grand Jury shall be next impannelled as herein-after directed, deliver One Copy of the said printed Schedules, together with the several printed Applications, with any Specifications, Maps, Plans, Sections, or Elevations of the Works to which such Application shall relate, which shall have been prepared by the Surveyor, annexed thereto, to the Foreman of such Grand Jury, and shall also deliver another Copy of the said Schedules to the Judges of the Court of Queen's Bench; and the said Secretary shall keep another Copy of the said Schedules in his Office, for the Inspection of the Public, during Three complete Days at least immediately before the Day when such Grand Jury shall be first impannelled, as herein-after provided.

Grand Jury to consider and decide on all Applications, fixing Amount and Time for Execution of Works.

LXXXIV. And be it enacted, That the Grand Jury shall, upon being impannelled and sworn as aforesaid, forthwith proceed to transact in open Court all such Business relating to Presentments for raising Money, public Works, Contracts, or the fiscal Concerns of the County, as may be appointed for them, and to consider and decide upon all Applications which shall be made for Presentments, as herein-before provided, in the Order in which the same shall be entered in the Schedules to be prepared as aforesaid, beginning with the Applications for Works to be defrayed by the County at large, altering, where they may deem it necessary, the Amount or Time for executing each Work, and examining all Maps, Plans, Estimates, and Specifications relating to each Application; and the said Grand Jury shall be attended by their Secretary and by the District Surveyors, and shall hear and receive, and direct to be read aloud in open Court, the several Reports and Certificates of any such Surveyor, and shall have Power and Authority, at their Discretion, to receive and obtain all legal and pertinent Evidence which shall be tendered to them for or against the making any Presentment, or in anywise relating thereto, or concerning any public Work, or the Execution of the same, if made wholly or in part at the Expence of the County or any Portion of the County, or any Contract of or in respect of any of the Matters aforesaid, and shall make Presentments for all Matters and Things hereby directed tobe presented for, specifying, in all Presentments for County Works, the maximum Amount which shall be raised for the Execution of such Work, and whether such Amount is to be raised off the County at large, or off any Barony or Parish or other Denomination thereof, as the Case may be; and the said Grand Jury shall sit *de die in diem* until all the Business which may come before them of the Nature hereby described be despatched; and if the whole of such Business shall be concluded before the Day appointed for fiating the Presentments, then the said Grand Jury may adjourn to such Day; and every Grand Juror who shall not attend pursuant to such Adjournment may be fined by the Judge for such Non-attendance in any Sum not exceeding Ten Pounds, at the Discretion of the said Judge.

LXXXV. And

Grand Jury shall not make Presentments, unless on Application approved of at Sessions, except in Cases of sudden Damages, and in Cases otherwise provided for.

LXXXV. And be it enacted, That it shall not be lawful for any Grand Jury of the said County, any Law, Usage, or Custom to the contrary notwithstanding, to make a Presentment for any public Work whatsoever, or for raising any Money, for which an Application shall not have been made and approved at Sessions, either wholly or in part, as herein-before provided, save and except such Presentments as may be herein specially excepted, and also save and except such Presentments as may be necessary for the immediate Repairs of sudden Breaches or Damages in Roads, Bridges, Gullets, Walls, or Buildings, which have happened so recently as not to admit of the proper Applications having been made in manner before provided; which Fact, together with the Necessity for the immediate Execution of such Repairs, shall be proved before the Grand Jury upon Oath; and in such Case, although such Application as aforesaid shall not have been lodged or approved as aforesaid, such Grand Jury shall nevertheless have Power and Authority to present for such Repairs any Sum of Money in such Case necessary, and to authorize and empower any of the District Surveyors to advertise for Contracts for the Execution of such Work, such Contracts to be laid before the next District Sessions, or to execute such Works, and account for the Execution to the Finance Committee, as to such Grand Jury shall seem fit; and the Finance Committee of the County shall, out of any Monies to their Credit available to the general Purposes of the County, advance to such Surveyor from Time to Time the Monies, not exceeding the Sum presented for such Repairs, which may be required therefor; and such Monies so advanced shall be replaced by the Monies raised and levied under the Presentment which the Grand Jury have been herein-before authorized to make for such Purpose.

Secretary shall have Abstracts of fiated Presentments printed, and Tenders for Contracts advertised for.

LXXXVI. And be it enacted, That the Secretary of the Grand Jury shall, immediately after the fiating Day of each Presenting Term, upon being furnished by each Surveyor with the Specification or Form of Tender for the Execution of any such Work as aforesaid, and the Maps, Plans, Sections, and Elevations belonging thereto, notify, by public Advertisement or otherwise, in such Manner as the Grand Jury shall have directed, his Readiness to receive sealed Tenders and Proposals for the Execution of such Work during such Period as shall have been appointed by the same Authority for the Reception of the same, and the Time to which such Sessions has adjourned for the opening of such Tenders and Proposals, and that Forms thereof may be obtained at his Office or elsewhere; and such Secretary shall accordingly cause to be printed and prepared a sufficient Number of Forms of such Tenders and Proposals, and furnish to any Person who shall demand the same a Copy thereof, receiving therefor the reasonable Cost of preparing the same, not exceeding the Sum of Three-pence, and also take such other Means as the Grand Jury shall direct for placing such Forms within reach of Persons who may have Occasion to use them; and each of such Tenders and Proposals shall be returned to him sealed or in an Envelope, and shall contain a Statement of the lowest Sum for which the Party making such Proposal is willing to contract for the Performance of the Work or Works specified and described in such Notification, and shall

Tenders shall be delivered in sealed Envelopes.

shall be subscribed with the Name, Description, and Residence of the Party so desirous to enter into such Contract, and also the Names, Descriptions, and Residences of not less than Two sufficient Persons willing to be bound jointly and severally with him for the due and faithful Performance of the said Contract within the Time and in the Manner thereby prescribed, in a penal Sum, Double the Amount of the said Sum mentioned in such Tenders and Proposals, if the said Sum shall not exceed One thousand Pounds, but if such shall exceed One thousand Pounds then in a penal Sum exceeding the Sum mentioned in such Tenders and Proposals by One thousand Pounds in addition thereto; and all Maps, Plans, Sections, and Specifications relating to any such Work prepared by the Surveyor shall be open to public Inspection in the Office of such Secretary, without Fee or Reward.

At adjourned Sessions Tenders shall be opened and dealt with.

LXXXVII. And be it enacted, That at the Meeting of each such adjourned Presentment Sessions as aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, and with the Seals unbroken, all the Tenders and Proposals which may have been delivered to him, and shall open consecutively all those relating to the same public Work; and so soon as the lowest Proposal made for the Performance of each such Work shall be ascertained, the Party making such Proposal, and his Surety, shall be called; and if the said Party and his Sureties shall appear, and shall satisfy the Justices and Cess-payers at such Sessions, upon Oath or otherwise, of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Nonperformance of such Contract, and that such Proposal has not been made for any unfair or fraudulent Purpose, and shall thereupon enter into Security for the due Performance of such Contract, conditioned in such Penalty as aforesaid, in the Form set forth for that Purpose in the Schedule No. 13., such Proposal shall be accepted, and the Party making the same shall be declared entitled to execute the Work to which such Proposal may refer, unless there shall appear some Reason for rejecting it; but if the Party making such Proposal, and his Sureties, shall not appear when called, or shall fail to satisfy the Justices and Cess-payers at such Sessions in any of the Particulars aforesaid, or shall decline to enter into such Security as aforesaid, or if the Presentment Sessions shall see Cause to reject it, then and in such Case the Proposal of the Party making default as aforesaid shall be deemed null and void to all Intents and Purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same Manner, and so on till the said Security shall be entered into and the Contract duly completed: Provided always, that if no Proposal shall be made in respect of any Work within the Time limited for receiving such Proposals, or if no Proposal or Tender shall be approved of by the Presentment Sessions, it shall and may be lawful for the said Presentment Sessions, if they think proper, to give such Work in charge to the District Surveyor, with Power to expend a Sum not exceeding the Maximum fixed as aforesaid; and such Surveyor shall cause such Work to be executed, and shall account for the Execution thereof to the Finance Committee in manner herein-after directed.

If no Tender or Proposal approved of by Sessions, Work may be given in charge to District Surveyor.

LXXXVIII. And

Form of Security.

LXXXVIII. And be it enacted, That such Security so to be entered into by Contractors under this Act, and their Sureties, shall be a Recognizance to Her Majesty, Her Heirs and Successors, and of like Force, Validity, and Effect as other Recognizances made to the Queen's Majesty; and at such adjourned Presentment Sessions any Justices present, or the Chairman, are and is hereby authorized to take such Recognizance; and the Secretary of the Grand Jury shall prepare the same, and come provided therewith, so as to prevent Delay; and the Expence of preparing the same, not exceeding Sixpence, shall be defrayed by the Party or Parties entering thereinto; and such Recognizance shall be preserved in Custody of such Secretary until the Condition of such Recognizance shall have been fulfilled, and shall then be delivered up to the Contractor or Contractors therein named, or to any Person by him or them duly authorized, to be cancelled.

Secretary shall keep Book with Particulars of Contract.

LXXXIX. And be it enacted, That the Secretary of the Grand Jury shall have Charge of all such Contracts as aforesaid, and shall provide and keep a Book in which he shall insert an Abstract of all such Contracts, setting out the Names of the several Contractors, and the Particulars of each Contract; and, in the Case of Roads for the keeping in repair of which Contracts may be or shall have been made, setting out the Places whence and to which each Road contracted for leads, and at what Milestone, Mearing, or noted Place each Road or Part of a Road under the Charge of such Contractor commences and ends, or the Names of the Occupiers of the Lands where his Contract commences and ends, and the Number of Perches of Road included in each Contract, and the Rate *per* Perch at which each Contract has been entered into, and the whole annual Sum which each Contractor is to be paid, and the Period for which each Contract is made; and all Contracts so entered in such Book shall be numbered, and every such Book shall have an alphabetical Index referring to the Number of each Contract.

Mode of Payment.

Grand Jury shall appoint Finance Committee.

XC. And be it enacted, That it shall be lawful for the Grand Jury at each Presenting Term and they are hereby required to appoint a Finance Committee, consisting of not more than Twelve nor fewer than Seven Persons, Residents within the County or City of *Dublin*, and being Occupiers or Owners of Lands or Houses within the County of the Value of Fifty Pounds at the least; and such Persons shall constitute the Finance Committee of the County, and shall have full Power and Authority to do, execute, and perform all such Matters and Things as the Finance Committee are by this Act authorized to do; and in default of the Grand Jury at any Presenting Term so appointing a Finance Committee it shall and may be lawful to and for the Judges of the Court of Queen's Bench and they are hereby required to make such Appointment.

Meetings of Finance Committee.

XCI. And be it enacted, That the Finance Committee of the said County shall hold their first Meeting at such Time and Place as shall be appointed by the Grand Jury, whereof public Notice shall be given in such Manner as shall be directed by the said Grand Jury, and shall meet from Time to Time, and adjourn from Place to Place,

Three a Quorum.

as they shall think proper, and as Occasion shall require; and at all Meetings Three Members shall constitute a Quorum; and one of the Members present shall be appointed Chairman, and shall be entitled to vote on all Questions, and in case of an equal Division of Votes upon any Subject such Chairman shall have an additional or casting Vote; and the Secretary of the Grand Jury shall attend the Meetings of the Finance Committee, and shall act as their Secretary, and make Minutes of their Proceedings, and render them such Assistance from Time to Time as they may direct.

District Sessions shall appoint Road Wardens.

XCII. And be it enacted, That the Justices and associated Ratepayers at each adjourned District Presentment Sessions shall appoint Two fit and proper Persons to act as Road Wardens for such District until the next adjourned District Presentment Sessions, or until others shall be appointed for such District; and it shall be the Business and Duty of such Road Wardens, within their respective Districts, to examine into and report upon the State of the Roads and other County Works, whether in progress of Repair or otherwise, to the Presentment Sessions, to the Grand Jury, and the Finance Committee, and to abate Nuisances, and prosecute Persons guilty of any Offence against this Act.

Chairman of each adjourned Presentment Sessions shall certify Amount payable to each Contractor or other Person.

XCIII. And be it enacted, That immediately before the closing of each adjourned Presentment Sessions, whether for any District or for the County at large, the Secretary of the Grand Jury shall prepare a List of the Sums payable to each Contractor, with a Statement of the Nature of the Contracts entered into at such Sessions, and setting forth likewise the Amount which any District Surveyor may be authorized at such Sessions to expend upon any Road or Work, and the Chairman shall certify the Accuracy of the same by his Signature; and such Lists so certified shall be laid before the Finance Committee at their first Meeting, and a Copy thereof shall be entered on the Minutes, together with a Copy of all other Presentments made by the Grand Jury, and fiated by the Court, under the Authority of this or any other Act, and of the Names of the Persons in whose Favour such Presentments may have been made; and it shall be lawful for the Finance Committee from Time to Time, and as the Funds of the County admit, to make Orders for the Payment of all Persons entitled to Payment under Presentments of the Grand Jury made by the Authority of this or any other Act; and every Order shall be signed by the Chairman for the Time being of the Finance Committee, and Two other Members thereof, and countersigned by the Secretary of the Grand Jury, and by him delivered to the Person entitled to the same.

Contractors desirous of Payment shall give Notice to District Surveyor and Road Warden.

XCIV. And be it enacted, That any Person who may contract for the Execution of any Work under this Act shall on the Completion of such Work, or whensoever by the Terms of such Contract he may be entitled to Payment, give Notice, in Form Schedule No. 11. or 12., as the Case may be, to the District Surveyor, and also to one of the Road Wardens, Fifteen Days at the least before the Day appointed for the next Meeting of the Finance Committee, of his Intention to make Application for Payment, and to require such District

trict Surveyor or Road Warden to examine and report upon the Execution of such Work or Performance of such Contract; and such Contractor shall also lodge with the Secretary of the Grand Jury, Fifteen Days at least before the next Meeting of the Finance Committee, a similar Notice of his Intention to apply for Payment; and the Secretary of the Grand Jury shall arrange all such Notices, and annex to each the Number by which the Contract in respect whereof such Notice or Certificate may be given is distinguished in the Book of Abstracts which such Secretary is hereby directed to keep, and endorse on such Notice the Date of the Lodgment of the same; and such Secretary shall lay all such Notices before the Finance Committee, who shall examine into all such Applications for Payment, and inspect the Notices and Certificates, and examine the District Surveyor or Road Warden, and all other Persons whom they may think it necessary to examine, for the Purpose of ascertaining the due Execution of the Work or Matter contracted for, which Examination may be upon Oath in Cases in which the Finance Committee deem it necessary or advisable; and the Chairman of the Finance Committee is hereby authorized to administer the Oath; and the said Finance Committee, upon being satisfied that the Party so applying is justly entitled to Payment, may give an Order for the Payment of the whole or such Portion of the Sum in consideration whereof the Contract may have been made as they shall deem just and right.

Finance Committee, on being satisfied as to Execution of Work may give Order for Payment.

XCV. And be it enacted, That if at any Time the Finance Committee shall refuse to order Payment to the Contractor according to the Terms of his Contract, or to any other Person engaged in the Execution of any County Work under the Authority of this Act, and who on the due Execution thereof would be entitled to such Payment, they shall set forth the Grounds of such Refusal; and if such Contractor or other Person shall feel himself aggrieved thereby it shall be lawful for such Person to present a Memorial to the Judges of the Court of Queen's Bench at the next *Easter* or *Michaelmas* Term, stating the Terms of his Contract or the Circumstances of his Case, and the Refusal by such Finance Committee to order Payment, and praying that the Judges may direct the Grand Jury to cause Inquiry to be made into the Facts stated in such Memorial; and such Memorial shall be lodged with the Secretary of the Grand Jury at least One Month before the First Day of such Term; and such Secretary shall make known the same to the Finance Committee; and upon Proof that such Memorial was so lodged it shall be lawful for the Judges of the Court of Queen's Bench, if they shall see Reason so to do, to cause a Jury to be impannelled to try and inquire whether or not such Sum was rightly due to such Contractor according to the Terms of his Contract; and if the Jury shall find in the Affirmative it shall be lawful for the Judges of the Court of Queen's Bench to order the Payment of such Sum, not exceeding the Amount of the Contract, as to them shall seem just and proper; and it shall be lawful for the Finance Committee, at their next Meeting, and they are hereby required, on a Copy of the Order for such Payment being produced, to sign an Order for the Amount specified in such Presentment: Provided always, that no Memorial shall be proceeded upon

If Finance Committee refuse Payment, Contractor may appeal.

upon, unless the Memorialists shall, at the Time of lodging such Memorial with the Secretary, deposit with him the Sum of Ten Pounds as a Security for such Costs and Expences as the Judges may direct to be paid thereout to any Person who may appear to oppose such Application, or any Witness summoned to attend on the hearing of the Application.

Finance Committee, Twenty-one Days before each Presenting Term, shall make up half-yearly County Accounts, and each Barony Account shall be kept separate.

XCVI. And be it enacted, That at least Twenty-one Days previous to the Commencement of the Presenting Term in each Year a Special Meeting of the Finance Committee shall be called by the Secretary, for the Purpose of making up the County Accounts for the preceding Year; and a separate Account shall be kept and made out and Balance struck for each Barony, and a Statement shall be made of the Sums not paid on account of Presentments, and of the Amount not received on account of the Assessment upon each Barony; and the Finance Committee shall classify the Amounts paid by them during the Year, according to the Purposes for which the Payments were made; and the Accounts when made up shall be signed by the Chairman of the Finance Committee, and shall be laid before the Grand Jury on the first Day of the then ensuing Presenting Term; and such Accounts shall recite the Authority under which each Payment shall have been made, and a Copy or Abstract thereof shall be printed with the Abstract of Presentments; and it shall be lawful for the Grand Jury to present any Balance which after Examination of the Accounts may appear to be due by the County at large or any Barony, such Balance to be raised off the County at large or such Barony respectively: Provided always, that the Accounts of the Finance Committee shall be transmitted by the Secretary to the proper Office, and shall be examined and audited in the same Manner and subject to the same Regulations as the Accounts of County Treasurers, under and by virtue of an Act passed in the First Year of Her present Majesty's Reign, intituled *An Act to provide more effectual Means to make Treasurers of Counties and Counties of Cities in* Ireland *account for public Monies, and to secure the same.*

7 W. 4. & 1 Vict. c. 54.

Mode of raising County Rate.

Clerk of Crown, within Fourteen Days after Fiat, shall make out List of Presentments.

XCVII. And be it enacted, That the Clerk of the Crown for the said County of *Dublin* shall, within Fourteen Days after the fiating Day of each Presenting Term, deliver to the Secretary of the Grand Jury, without Fee or Reward, a Copy, attested upon Oath, and signed by himself, of all Presentments which have been made and fiated at such Presenting Term, and likewise Copies of all Queries discharged and remaining undischarged, distinguishing the same; and the Secretary of the Grand Jury shall from such Copy forthwith make out an Estimate of the Amount to be raised in each Barony or Portion of a Barony or Parish in the County during the ensuing Year under the Authority of the baronial or local Presentments made during such Presenting Term, and to meet the probable baronial Expenditure during the ensuing Year, and also of the Amount to be raised upon each such Barony respectively to defray its Proportion of the general County Charges under the Authority of the Presentments upon the County at large made during such Term, and to meet the probable Expenditure on the County at large during the ensuing Year, and shall

shall lay the same before the Finance Committee at their first Meeting; and the Finance Committee shall consider and revise such Estimate, and shall then declare and strike the Amount to be levied off each Barony and Parish or Denomination during the ensuing Year, as well on account of the Baronial Charges as upon account of Charges upon the County at large.

Finance Committee to ascertain Proportion to be raised off each Barony.

XCVIII. And whereas a Valuation of the County of *Dublin* is now in progress under the Provisions of an Act passed in the Sixth and Seventh Year of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the several Acts for the uniform Valuation of Lands and Tenements in* Ireland; but it is necessary to make Provision for the Apportionment of the County Charges upon each Barony, and of the baronial Charges upon each Parish in the said County, until the Period when such Valuation shall be completed; be it enacted, That for the Purpose of enabling the Finance Committee to make such Apportionment the Secretary of the Grand Jury shall obtain from the Clerks of the several Poor Law Unions, the whole or any Portion of which may be situate within the County of *Dublin*, a Return of the Amount of the last Valuation made by the Guardians of each Union respectively of every Parish and Townland within such Union which is situate in the said County of *Dublin*, which Return the Clerk of every such Union is hereby required to make, and to certify under his Hand to be correct; and the Amount set forth in such Certificate as the Value of every Parish or Townland shall be taken to be the Value of such Parish or Townland for the Applotment or Apportionment of the County Charges under this Act: Provided always, that nothing herein contained shall authorize or empower the Finance Committee to make or apportion the County Charges according to such Valuation for any longer Period than until the Survey and Valuation under the said Act, or any Act to amend the same, shall be completed, and a Copy thereof inserted in the *Dublin Gazette* as directed in said Acts; and that from and after the first Day of the Presenting Term next following such Publication all County Cess Charges whatsoever, and all Grand Jury Charges or Rates imposed or to be imposed on the said County of *Dublin* by Presentments of the Grand Jury, or to be raised off such County, or any Barony, Parish, or Townland thereof, and all Parish Rates imposed or to be imposed, or levied or to be levied, under the Authority of any Act or Acts, shall be assessed and levied off such County, and off every Barony, Parish, or Townland therein, according to the Proportions specified in such Act; any Law, Usage, or Custom, or any former Assessment or Valuation, to the contrary in anywise notwithstanding.

Until Valuation under 6 & 7 W. 4. shall be completed, Apportionment of baronial Charges shall be according to Poor Law Valuation.

XCIX. And be it enacted, That the Finance Committee, having duly ascertained the Proportion of the County Charges to be raised upon each Barony, Parish, or Denomination according to such Valuation, shall issue their Warrant, under the Hand and Seal of the Chairman of the Committee, and countersigned by the Secretary of the Grand Jury, to the several Collectors, for levying and collecting the Sums to be raised off each Parish, which Warrant shall set forth the Amount to be raised off such Barony, Parish, or Denomination by virtue

Finance Committee shall issue Warrant to Collector for levying the Sums to be raised.

virtue of the Presentments by the Grand Jury, with any uncollected Arrears of the last Warrant, and shall remain in force and effect for the Term of Two Years next after the Date thereof, notwithstanding the Death, Resignation, or Removal of the Person to whom it was addressed; and shall authorize any Collector for the Time being to execute the same, unless the Sums required by such Warrant to be levied shall have been received, or unless the Grand Jury shall have re-presented the same; and the Person to whom such Warrant is directed shall, within Ten Days after he has received the same, deliver or send to the Churchwardens of each Parish or Denomination of Land contained in such Warrant, or in case there be no Churchwarden of the same, then to any principal residing Inhabitant, a Transcript of the said Warrant, setting forth the Sum he is required to levy upon the said Parish or Denomination, and to desire that the Sum may be applotted thereon; and every Person who shall receive such Account is hereby required, under the Penalty of Ten Pounds, to be recovered by Civil Bill by any Person who shall sue for the same, to post up within Six Days after the Receipt thereof, on the Door of the Church or the usual Place for posting Notices in said Parish or Denomination, a Notice signed by himself, setting forth that the Landholders and Householders of (here insert the Name of Parish, &c.) are hereby required to meet at (Place of Meeting), on the (here insert a Day, not less than Ten Days or more than Twenty from the Date of such Notice), to choose Two or more Persons to applot the Sum of (here insert the Sum) required to be levied upon such Parish or Denomination by the Warrant of the Finance Committee of the County; and at such Meeting the Landholders and Householders then present shall choose Two or more Persons to be Applotters; and the Persons so chosen shall, within Fourteen Days from the Time they shall be so chosen, applot the Sum so to be levied upon such Parish, Townland or Denomination, fairly and justly according to the relative annual Value of the several Lands, Tenements, and Houses therein contained, stating as accurately as they can the Name of the Occupier of each House or Tenement, and shall make Oath before any Justice of the Peace for such County that they have made the said Applotment justly, according to the best of their Skill, without Favour, Affection, or Malice, the Jurat of which Oath shall be endorsed on the Applotment; and such Applotters shall deliver such Applotment, so verified upon Oath, to the Person empowered to collect such Grand Jury Cess, under the Penalty of forfeiting for every Day they shall omit to deliver the same, after the said Fourteen Days, the Sum of Twenty Shillings, to be recovered by Civil Bill by any Person who shall sue for the same; and the Collector, on receiving such full and sufficient Applotment, is hereby required and authorized to levy the said Money according thereto; and in case no full and sufficient Applotment shall be returned within Twenty Days after the Time fixed for the Appointment of the Applotters, then in such Case it shall be lawful for such Collector himself to applot the Sum required by the Warrant to be levied off such Parish or Denomination on the several Lands, Premises, and Houses therein, according to the best of his Judgment: Provided always, that no House shall be included in any such Applotment, or shall be liable

A Transsript to be sent to the Churchwardens.

A Meeting to be convened for appointing Applotters.

If no Applotment made within 20 Days, Collector shall himself applot.

liable to County Cess, the yearly Value of which shall not be at the least Five Pounds.

Payment to Applotters and Clerk of Union.

C. And be it enacted, That it shall be lawful for the Finance Committee to pay to any Person or Persons who may so applot the Amount directed to be levied upon any Parish or Denomination a Sum not exceeding Twenty Shillings for each Parish or Denomination, on being satisfied that such Applotment was duly and accurately made, and also to pay to the Clerk of each Union such Sum, not exceeding Forty Shillings, as to such Finance Committee shall seem reasonable, for his Trouble in preparing the Valuation herein-before directed to be given to such Finance Committee.

Grand Jury Cess may be levied by Distress, or Collector may summon before Justices.

CI. And be it enacted, That every Person duly authorized to levy any Grand Jury Cess off any Barony, as soon as he shall have received or shall have made the Applotment of such Cess, shall forthwith proceed to collect and levy one Moiety thereof according to such Applotment, and the other Moiety thereof after Six Calendar Months from the Date of such Warrant; and each of such Moieties may be levied by Distress and Sale of any Goods and Chattels of every Person refusing to pay the Proportion therein applotted for him or her to pay, which may be found on the Premises chargeable, rendering to the Owner the Overplus, if any, after deducting the Expences of distraining, not exceeding Twelve-pence in the Pound on the Sum for which such Distress may have been made; or in case the Collector shall not think it expedient to proceed by Distress, then and in such Case such Collector shall leave or cause to be left at the Dwelling House or usual Place of Residence of the Party chargeable for or in respect of such Premises a Notice bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Sum or Moiety of the Sum applotted within Six Days from the Date of such Notice, and expressing that within Six Days the Money demanded may be paid to the Collector at his House or Office; and if such Money be not so paid within such Time then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace for the County in which the Party may reside, and such Justice shall summon the Party so complained against to appear before him and answer the said Complaint, and shall, at the Time specified in such Summons, examine into the Matter of such Complaint on Oath (which Oath the Justice is hereby empowered to administer), and shall direct the Payment to such Collector of such Money as he shall find due and payable under such Applotment by the Party complained against, together with a Sum certain as and for such reasonable Costs and Charges as to such Justice shall seem meet; and in default of the Appearance of such Party, or upon his or her Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall and may be lawful for such Justice, or for any Justice of the Peace for the County, to issue his Warrant authorizing and empowering the said Collector to levy the Money thereby ordered to be paid by Distress and Sale of the Goods or Chattels of the Party so complained against which may be found within any Part of such County, rendering the Overplus, if any, to him or her, the

necessary

necessary Charges and Expences of distraining being thereout first deducted as directed by such Justice; and if sufficient Distress cannot be found within the same County, then, on Oath thereof made before any Justice of the Peace of any other County in which any of the Goods and Chattels of such Party shall be found (which Oath such Justice shall administer, and certify by endorsing in his Handwriting his Name on the Warrant granted to make such Distress), the Goods or Chattels of such Party so refusing or neglecting to pay as aforesaid shall be subject and liable to such Distress and Sale in such other County where the same may be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within such first-mentioned County.

Cess shall be paid by Person in occupation when Levy made.

CII. And be it enacted, That the Sum or Proportion of Grand Jury Cess to be raised off each Barony under the Warrant of the Finance Committee, and duly applotted for any Person to pay, shall be a Charge upon the Lands and Premises, Houses and Tenements, mentioned in such Warrant and Applotment, and shall be paid and payable by the Person or Persons occupying the Premises respectively at the Time such Cess is levied thereout, although such Person or Persons did not occupy the same at the Time such Cess was imposed, and, when the Sum payable by any Person or Persons does not exceed Fifty Pounds, may be sued for by Civil Bill, in the Name of the Collector, before the Chairman of the Sessions of the County of *Dublin*, or Assistant Barrister having Jurisdiction to hear and determine Causes by Civil Bill in the County, Place, or District in which the Person liable to pay the same resides.

Collectors shall pay into Bank the Sums received each Month, and shall furnish Finance Committee with Statement, Vouchers of Payments, &c.

Collectors improperly collecting, or not using due Diligence, may be dismissed.

CIII. And be it enacted, That every Person duly authorized to collect and levy the Grand Jury Cess aforesaid shall on or before the first Day of each Month, or so often as he shall have received One hundred Pounds, pay into the Bank of *Ireland*, to the Credit of the Finance Committee, the Sums he may have received up to such Period, and shall furnish to the Secretary of the Grand Jury an Account of the Sums so received, setting forth particularly any Sums received on account of Arrears of Cess, and shall, at all Times when required so to do, exhibit to the Finance Committee any Books, Applotments, Accounts, or Vouchers which they may require; and any Collector receiving any Sums of Money, under colour of his Warrant, otherwise than according to the Applotment, or neglecting or refusing to furnish to the Finance Committee such Information, Accounts, and Vouchers as they may at any Time require, or not using due Diligence in the Collection of the County Rate, may be suspended or dismissed from his Office by such Finance Committee; and immediately upon his Suspension or Dismissal he shall deliver up to the Secretary of the Grand Jury his Warrant, Applotment, and all other Papers, Accounts, or Documents of or belonging to his Office as Collector; and if any such Person shall refuse or neglect to deliver up such Warrant, Applotment, Papers, Accounts, and Documents, when required to deliver them by an Order of the Finance Committee, it shall be lawful for the Finance Committee to direct the Secretary of the Grand Jury to summon such Person before any Justice of the Peace for the said County, who may commit such Person to the

County Gaol, there to be detained till such Documents be delivered up: Provided always, that no Collector shall be dismissed as aforesaid without a special Summons of the said Finance Committee by the Secretary of the Grand Jury, and that at such special Meeting not less than Five Members do constitute a Quorum.

Collector's Fees shall be added to Applotment.

CIV. And be it enacted, That it shall be lawful for the Finance Committee to add to the Amount of the Warrant issued by them in respect of each Barony the Amount of the Collector's Fees upon the Sums to be collected for such Barony, and the same shall be collected and paid into Bank by each Collector, together with the Sums presented by the Grand Jury; and when One Moiety of the Sum to be collected shall have been paid in it shall be lawful for the Finance Committee to give an Order for One Half the Amount of his Fees to the Collector having so paid in the Moiety of his Collection; and on the Finance Committee being duly satisfied of the Diligence and Assiduity of the Collector in completing his Collection as far as possible it shall be lawful for such Finance Committee to give an Order for the Fees due on the Balance of the Sum collected.

Notices, how to be promulgated.

CV. And be it enacted, That a Notice in Writing of every Application for any Work intended to be made at any Presentment Sessions holden under the Provisions of this Act, or for any Payment, shall be affixed, by or on behalf of the Person or Persons intending to make such Application, on or immediately adjacent to the Doors of every Police Station or Barrack within such Parish or Parishes wherein the Work to which such Applications shall relate is proposed to be executed, and at the Places (if any) appointed by the Grand Jury for posting Notices herein; and such Notices shall be so affixed at the Time by this Act directed; and a Copy of every such Notice shall be delivered to the Clerk of the Petty Sessions of the District where the Work for which such Application is intended to be made or the greater Portion thereof is to be performed; and the Notice of every such Application shall be delivered to the District Surveyor Ten Days before the Day appointed for holding Presentment Sessions previous to each Presenting Term: Provided always, that the Delivery of any such Notice to the baronial High Constable Fifteen Days before the Day appointed for holding such Sessions shall be deemed to be due Notice to the said Surveyor; and any baronial High Constable to whom any such Notice may be delivered shall transmit the same to the said Surveyor within Five Days after he shall have received the same; and it shall not be necessary to deliver any such Notice, other than the Application itself, to the Secretary of the Grand Jury.

Secretary shall cause Abstracts of Presentments and Contracts to be printed, with an Abstract of Accounts of Finance

CVI. And be it enacted, That the Secretary of the Grand Jury shall cause to be printed, immediately after the adjourned Presentment Sessions for the County at large, an Abstract Book of all Presentments made during the preceding Presenting Term, and also of all Contracts entered into at the adjourned Presentment Sessions, arranging such Presentment Sessions and Contracts under their respective Heads, distinguishing the Presentments upon each Barony, or in such Form as the Grand Jury shall direct, classifying imperative

Committee and of the Applotment.

Presentments separately, and shall cause to be appended to said Book an Abstract of the Accounts of the Finance Committee, as laid before the Grand Jury at the preceding Presenting Term, and an Abstract also of the Applotment made by the Finance Committee for the ensuing Levy.

Contractors shall pay his Labourers in Money.

Penalty for paying or attempting to pay in Goods.

CVII. And be it enacted, That every Contractor for the Execution of any County Work under the Authority of this Act shall pay his Labourers or Artificers in Money, and at Intervals of not more than Twenty-one Days; and if any Contractor shall directly or indirectly pay any Labourer in Goods, or in any Manner otherwise than in Money, or shall directly or indirectly attempt to persuade or induce any Labourer in the Employment of such Contractor to take Goods in lieu of such Wages, or to expend his Wages in any particular Shop or for any particular Purpose, he shall be liable to be summoned before the Justices assembled at any Petty Sessions, on Complaint of the Party aggrieved, or any other Person, and such Justices are hereby authorized to hear such Complaint, and adjudicate thereon; and if such Contractor shall be convicted thereof he shall forfeit and pay such Sum not exceeding Five Pounds as to such Justices shall seem fit; and if any Contractor shall neglect to pay any Labourer in his Employment at Intervals of not more than Twenty-one Days all Wages that may be due to him, save and except the Earnings of One whole Week, he shall be liable to be summoned before the Justices assembled at any Petty Sessions, on Complaint of the Party aggrieved, for Recovery of any Wages or Money payable to any Person employed by them in the Execution of such Works, so as the Sum demanded do not exceed Six Pounds, and such Justices assembled as aforesaid are hereby authorized and required to hear such Complaint, and adjudicate thereon; and it shall be no Defence to such Complaint that such Contractor has not himself received any Payment upon Foot of his Contract; and the Decision of such Justices shall be final, and the Sum adjudged to be due shall be levied, by Warrant of Distress under Hand and Seal of any Two such Justices, off the Goods and Chattels of such Contractor.

May be summoned for Wages.

Contractor neglecting to perform Contract may, with his Sureties, be summoned before Petty Sessions.

CVIII. And be it enacted, That if in the Opinion of the District Surveyor or any Road Warden the Contractor for any County Work shall be guilty of Neglect or Inattention in the Performance of his Contract, it shall be lawful for such Surveyor or Road Warden to summon the said Contractor and his Sureties before the Justices at Petty Sessions of the District in which such Work may be situate; and if such Charge of Neglect or Inattention be established before such Justices it shall be lawful for them to make an Order directing the said Contractor and his Sureties to complete his Contract within a Period to be stated in such Order; and if at the Expiration of such Period the District Surveyor or Road Warden shall still see Reason for being dissatisfied with the Manner in which such Work has been executed, it shall be lawful for them again to summon the Contractor and his Sureties before the Justices at Petty Sessions, and the Justices shall thereupon proceed to inquire into and finally adjudicate upon the Complaint; and if it shall appear that such Work has been insufficiently executed, and contrary to the Terms of the Contract, it shall

shall be lawful for such Justices, having ascertained the Amount which it may require for the Completion of such Work according to the Contract, to authorize such Surveyor or Road Warden to complete the same, and to levy such Amount by Warrant of Distress upon the Goods of such Contractor or his Sureties.

Any Two Justices at Petty Sessions may order Sums not exceeding Twenty Pounds for repair of sudden Damage to Bridge, or Ten Pounds to Road, &c.

CIX. And be it enacted, That any Two Justices of the Peace at Petty Sessions in the said County may, under their Hands and Seals, order any Sum not exceeding Twenty Pounds to be expended in repairing any Bridge, or any Sum not exceeding Ten Pounds to be expended in repairing any public Road, or any Pier or Quay on the Bank of any navigable Lake or River, now or hereafter to be built by Grand Jury Presentment, which may be suddenly damaged, provided it shall appear, upon the View of both of them, that the Repairs of such Bridge or Road or such Pier or Quay cannot be delayed until the next Presenting Term, without Prejudice to the Public; and it shall be lawful for such Justices to appoint a proper Person or Persons to repair the same; and the Grand Jury of the said County is hereby empowered to present, without previous Application at Presentment Sessions, at the next Presenting Term, the Sum so expended in repairing any such Bridge or Road which is liable to be repaired by the County at large, to be levied on such County at large, and any Sum so expended in repairing any Road or Work herein directed to be repaired by any Barony to be levied on the Barony wherein the same is situate, and any Sum so expended in repairing any such Pier or Quay to be levied on the County at large; and the Sum so presented in the said several Cases shall be paid to the Person or Persons so appointed by such Justices to make such Repairs, upon his or their producing such Order under the Hands and Seals of the said Justices, and also a Certificate under the Hand of the District Surveyor, that the Sum specified in such Order appears to have been faithfully and honestly expended pursuant thereto: Provided always, that the same Justices of the Peace shall not make or sign more than One Order for the Expenditure of any Sum as aforesaid for the Reparation of the like sudden Damage between the Termination of one Presenting Term and the Commencement of another.

Penalty for giving Money for any Appointment.

CX. And be it enacted, That if any Person shall, at any Time after the First Day of *January* One thousand eight hundred and forty-five, by himself, his Friends or Agents, directly or indirectly give or promise to give any Money, or any Security for Money, or other Consideration, to any Person or Persons, in order to procure the Appointment to the Office of Clerk of the Peace, Secretary of the Grand Jury, Surveyor, or any other Office or Employment in this Act mentioned, or in order to procure the Resignation of any Person or Persons holding such Office, or in order to influence the Votes of the Persons who may have the Appointment to such Office, he shall be incapable of holding any such Office or Employment, and shall forfeit for every such Offence a Sum of One hundred Pounds to any Person who will sue for the same; and such Sum may be recovered by Civil Bill before the Chairman of *Kilmainham*, or by Action in any of the Superior Courts; and every Person appointed to any such Offices at any

any Time after the First Day of *January* One thousand eight hundred and forty-five shall, at the Presenting Term next after his Appointment, subscribe in open Court before the Foreman of the Grand Jury, and deliver to him, a Declaration in the Form in Schedule No. 16. to this Act annexed, and the same shall be preserved by the Clerk of the Crown among the Records of the County; and no Presentment shall be made for any Salary to any such Officer until he shall have so subscribed and delivered such Declaration.

Power reserved to make Presentment under Act. 7 G. 4. c. 74

CXI. And be it enacted, That nothing in this Act contained shall be construed to limit or affect the Powers, Duties, or Authorities of Grand Juries to make any Presentments which they are authorized or required to make under and by virtue of an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for consolidating the Laws relating to Prisons in* Ireland: Provided always, that it shall not be lawful for any Grand Jury to make any Presentment under the Provisions of the said recited Act for any Salary or Compensation to any Keeper, Turnkey, or Matron of any Gaol, Penitentiary, Bridewell, or House of Correction, or for building, rebuilding, altering, enlarging, or repairing any Gaol, Bridewell, House of Correction, or other Prison, (except in the Case of Repairs made under the Provisions of the said recited Act, in consequence of any Fire or other sudden Accident which may happen to any such Gaol, Bridewell, House of Correction, or other Prison,) unless Application for such Presentment shall have been made and approved at Presentment Sessions in the Manner herein-before directed and provided: Provided also, that all Contracts which any Grand Jury is authorized to make or enter into under the Provisions of the said recited Act shall be made by sealed Tenders and Proposals, to be delivered, opened, and dealt with, and Security to be taken, in like Manner as herein-before provided with respect to other Contracts for public Works, any thing in the said recited Act to the contrary notwithstanding: Provided also, that no such Contract shall be entered into, nor any Presentment made thereupon, save upon and after an Application made and approved at Presentment Sessions, as herein-before directed.

Proviso.

Power to re-present Arrears as originally presented.

CXII. And be it enacted, That it shall be lawful for any Grand Jury at any Presenting Term to re-present any such Sums of Money as now are or at any Time hereafter shall be unpaid or in arrear out of any Denomination or Barony to be raised and levied on such Denominations or Barony upon which the same was originally required by the Warrant of the Finance Committee to be levied, and to present all such Sums of Money which have hitherto been or which shall at any Time hereafter remain unpaid on account of the absconding or Insolvency of any Collector or other Person empowered to receive or collect public Money who is or shall be insolvent, without Prejudice to the Liability of such Collector or of his Sureties, to be raised and levied either upon the County or upon the Barony in which the same was before levied, as they shall think fit, which Sums shall be levied in the same Manner, and subject to the same Rules, Regulations, Provisions, and Powers, as any Money to be levied by virtue

of

of this Act is to be subject; and in case any Money so in arrear or so detained by any Collector or other Person empowered to collect or receive public Money shall be thereafter recovered, it shall be paid to the Credit of the Finance Committee; and such Money so paid, and any Balance, Arrears of or Surplus on the Salary of any County Officer, and all other such like Surplus and Balances of Money raised by Authority of this Act, or which may any how arise to the Credit of the Finance Committee, shall be applicable to defray the Expences of any public Work, or any County Charge whatsoever which the Grand Jury are authorized to present under the Provisions of this Act, and shall be presented by the Grand Jury for such of the said Purposes as to them shall seem expedient: Provided always, that such Sum shall be applied to the Credit of the Barony off which it was originally levied: Provided also, that before it shall be lawful for any Grand Jury to re-present any Sum of Money as unpaid or in arrear out of any Barony or Denomination it shall be made to appear by Affidavit of the Collector to such Grand Jury that such Sum is actually in arrear and unpaid by such Barony or Denomination respectively, and that it could not have been levied from the Persons or out of the Lands or Houses charged with or liable to pay the same.

Certain Arrears now due and Balances to be re-presented by Instalments.

CXIII. And whereas in the County of *Dublin* an Accumulation of insolvent Arrears of Grand Jury Cess has taken place, by reason of the Grand Jury thereof in certain Cases not having possessed any Power by Law to re-present for such Arrears, and in consequence thereof the County at large, and several of the Baronies therein, have become largely indebted to the Public, and it is expedient that the Grand Jury should become empowered to discharge such Debts respectively by Instalments; be it enacted, That within One Calendar Month after the First Day of *January* One thousand eight hundred and forty-five the Treasurer of the County shall transmit to the Chief or Under Secretary for *Ireland* a detailed Account of the Debt which shall be then due by the said County at large, together with the Causes of such Debts respectively having accrued, and shall certify the same to be true and correct in every Particular; and the Lord Lieutenant in Council shall thereupon cause an Inquiry and Examination to be made into the Items and Facts stated in such Account, and shall transmit to the Grand Jury, through the Chief or Under Secretary for *Ireland*, his or their Warrant, which shall state the Amount of the Debt (if any) which upon Inquiry shall appear to be due by such County at large, or Barony, and the Number of Instalments by which the same shall be paid; and it shall be lawful for such Grand Jury, and they are hereby required, at the Presenting Term at or next after which they shall have received such Warrant as aforesaid, to present, without previous Application at Presentment Session, for the first of such Instalments respectively, and so from Time to Time shall continue to present, according to the Exigency of the said Warrant, until the whole of such Debt (stated therein) shall have been liquidated and paid off; and such Presentment shall be levied and accounted for in like Manner as any other Presentment under this Act.

County Buildings may be insured.

CXIV. And be it enacted, That it shall be lawful for the Secretary of the said County for the Time being to effect a Policy or Policies of Insurance against Fire on any public Building or other public Property which he shall be directed by the Grand Jury to insure, and for such Sum as he shall be so directed; and such Policy shall vest in the Secretary for the Time being, and the Sum thereby secured shall be payable to him as Part of the public Fund of such County, and shall be lodged by him to the Credit of the Finance Committee, and shall be applied to public Purposes, from Time to Time, as the Grand Jury shall direct, by any Presentment, sanctioned and approved of by the Judges of the Court of Queen's Bench, at the Presenting Term at which such Presentment may be made; and the Grand Jury shall have the Power, without any previous Application at the Sessions, and are hereby required to present, to be levied off the County at large, the Premium and other Charges payable on such Policy, and for continuing the same; and the Finance Committee shall from Time to Time pay such Premium.

Grand Juries may exchange short Lines with Trustees of Turnpike Trusts.

CXV. And whereas, for the Purpose of diminishing the Expence to which many Counties in *Ireland* are at present subjected in keeping in repair short Lines of Roads which from Time to Time have been made by such Counties as Improvements upon old Lines of Turnpike Roads, it is expedient that the Trustees and Directors of Turnpike Roads and the Grand Juries of Counties in *Ireland* should in certain Cases and by mutual Agreement have a Power of exchanging such Roads or Portion of Roads; be it enacted, That from and after the First Day of *January* One thousand eight hundred and forty-five it shall be lawful for the Trustees and Directors of any Line of Turnpike Road, or any Five or more of them, in any Case wherein they may deem it expedient, to adopt as Part of such Line of Turnpike Road the whole or any Part of any Road made and hitherto kept in repair by County Presentment, first having the Consent in Writing of the Grand Jury of the County through which such Road may pass at any Presenting Term, signifying that it will be for the Advantage of the Public that such Road or Portion of Road shall become a Part of such Line of Turnpike Road, in place of the old Turnpike Road or Portion of old Turnpike Road, as an Improvement upon which such new Line of Road may have been made by such County as aforesaid; and from and after the last Day of the Presenting Term or Assizes in which such Consent shall have been signed such Road or Portion of Road so theretofore made and repaired by Presentment shall to all Intents and Purposes be deemed to form and shall form a Part of such Turnpike Road; and the Trustees and Directors of such Line of Turnpike Road shall have the same Powers with respect to such Road or Portion of Road so adopted by them as they had by Law over the Portion of old Turnpike Road so given up by them to the Grand Jury aforesaid: Provided always, that Notice of such Exchange of Road, signed by the Trustees and Directors of the Turnpike Road on the one Part, and the Foreman of such Grand Jury on the other Part, shall be published in the *Dublin Gazette*, and One or more of the *Dublin*

Newspapers, as soon as may be after the signing of such Exchange as aforesaid.

No Toll on Turnpike Roads for travelling less than 100 Yards.

CXVI. And be it enacted, That it shall not be lawful for the Trustees of any Turnpike Road, or the Collectors of any Turnpike Toll Gate, to enforce Payment of any Toll for any Horse or other Animal passing through the said Gate, unless the same shall have travelled more than One hundred Yards on the said Road on the same Day.

Expences of repairing Road from Dublin to Blackrock to be raised, One Third on City, One Tnird on Barony of Rathdown, and One Third on Barony of Dublin. 5 & 6 Vict. c. 96.

CXVII. And whereas that Part of the Road from the City of *Dublin* to *Kingstown* and *Bray*, commencing at the Bridge usually called *Macartney's Bridge*, in the City of *Dublin*, and ending at the Cross of the *Blackrock*, was situate within the City of *Dublin*, and was repaired by Presentment of the Grand Jury of the said City, until the passing of an Act of the Fifth and Sixth Years of Her Majesty's Reign, intituled *An Act to alter the Number and define the Boundaries of the several Baronies of the County of* Dublin, whereby the District through which the said Road passed was made and constituted a separate Barony in the County of *Dublin*, by the Name of the Barony of *Dublin*: And whereas from the great Traffic on the said Road it requires frequent and expensive Repairs, the Cost of which, the Barony of *Dublin* being of small Extent and Value, would prove burdensome upon the Inhabitants thereof: And whereas a great Portion of the said Road is bounded on one Side by the Barony of *Rathdown*, and it is just and reasonable that the Inhabitants of the City of *Dublin* and the Inhabitants of the Barony of *Rathdown*, as well as those of the Barony of *Dublin*, should contribute towards the Repairs of the said Road; be it enacted, That it shall and may be lawful to and for the Grand Jury of the City of *Dublin* at any *Easter* Term, conjointly with the Grand Jury of the County of *Dublin*, to enter into a Contract with the Board of Public Works in *Ireland*, or any other Parties, for the Maintenance and Repair of the said Road for any Period not exceeding Five Years, and for such Term annually as shall be agreed upon between the said Grand Juries and the said Board of Works or Parties aforesaid; and that the Amount of such Contract shall be divided annually into Three Parts; and the Grand Jury of the said City of *Dublin* is hereby required to present at each *Easter* Term the One Third of such Amount to be raised annually during the Continuance of such Contract upon the City of *Dublin*, and the Grand Jury of the said County is hereby required to present at each Presenting Term for the County One Third of such Amount to be raised upon the Barony of *Rathdown*, and the remaining Third upon the Barony of *Dublin*, any thing herein or in any other Act contained to the contrary notwithstanding.

If Grand Jury neglect, Commissioners of Works to repair Road, and Grand Jury to pre-

CXVIII. And if it should happen that at any *Easter* Term the Two Grand Juries should not agree as to the Estimate or Contract laid before them at such *Easter* Term, or that they should omit or neglect to present as aforesaid, be it further enacted, That it shall and may be lawful for the Lord Lieutenant in Council, upon a Requisition signed by the Foreman on behalf of either Grand Juries, to make such Order to the Commissioners of Public Works for the Repair of all

sent Expence thereof.

all that Portion of said Road herein-before recited, and which shall be deemed necessary to be repaired by said Lord Lieutenant in Council; and that the Grand Jury of the County of *Dublin*, together with the Grand Jury of the City, are hereby required to present at each *Easter* Term any Sum or Sums so expended by said Commissioners of Public Works, according to the Proportions herein-before directed.

Parties contracting for Repairs of said Road to furnish Statement and Account, and to attend Grand Juries.

CXIX. And be it enacted, That during the Continuance of the said Contract or Contracts as aforesaid a Statement and Account of the actual Condition of the said Road, and of the Expenditure of all Monies received by Parties so contracting, shall be laid by the Commissioners of Public Works, (or by some Person acting on their Behalf, and authorized by them,) or by such other Parties contracting as aforesaid, before the united Grand Juries of the County of *Dublin* and County of the City of *Dublin*, upon some Day to be by them appointed in each *Easter* Term for that Purpose; and said Commissioners of Public Works, or some Person acting on their Behalf, or other Parties so contracting, shall attend before the said Grand Juries at each *Easter* Term, and give whatever Information they or either of them (the said Grand Jury) may deem necessary relative to such Statement and Account.

Repayment of Money advanced out of Consolidated Fund.

CXX. And be it enacted, That in all Cases where by this or any Act or Acts now in force in *Ireland* Repayment is to be made by Grand Jury Presentment of any Money advanced out of the Consolidated Fund, or from any other public Fund, the same shall from and after the passing of this Act be paid and payable unto such Bank or Person, and in such Manner, as the Lord High Treasurer, or the Commissioners of Her Majesty's Treasury, or any Three of them, shall from Time to Time think fit to direct and appoint.

Court shall make Order if Grand Jury refuse.

CXXI. And be it enacted, That in case the Grand Jury at any Presenting Term shall neglect or refuse duly to present any Money which, under the Provisions of this Act, or of any Act now in force in *Ireland*, or of any Act passed or to be passed in this present Session of Parliament, such Grand Jury may be required to present at such Presenting Term upon the Certificate of the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or otherwise, for the Purpose of reimbursing or replacing any Monies issued out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, the Court shall have Power to make an Order directing the Sum or Sums which ought to have been so presented to be raised and levied as if the same had been so presented; and such Order shall have the Force and Effect of a Presentment, and the Treasurer of the County or Finance Committee shall insert the Sum mentioned in such Order in the Warrant, and the same shall be applotted, raised, and levied, and applied in like Manner to all Intents and Purposes as if the same had been duly presented by such Grand Jury.

Compensation for malicious Injury.

CXXII. And be it enacted, That from and after the Commencement of this Act, in all Cases of maliciously or wantonly setting fire to, burning, or destroying any House, Outhouse, or other Building, or

or any Haggard, Corn, Hay, Straw, or Turf, or of maliciously setting fire to, burning, or sinking any Boat or Barge laden or unladen, or of maliciously killing, maiming, houghing, or injuring any Horse, Mule, Ass, or Swine, or any horned Cattle or Sheep, or of maliciously damaging, injuring, or destroying any Bank, Gate, Lock, Weir, Sluice, Bridge, Dam, or other Work belonging to any Person, public Canal or Navigation, any Person or Persons injured by any such Offence, and intending to apply for Compensation for any Loss or Damage sustained thereby, shall serve Notice in Writing of such Injury and of such his or their Intention upon the High Constable of the Barony, and the Churchwardens of the Parish, and at the nearest Police Station, or if there be no Churchwarden or High Constable, then upon Two of the principal Inhabitants of the Parish wherein such Offence shall have been committed, within Six Days at least after the Commission of the same; and shall lodge with the High Constable or Secretary of the Grand Jury, in like Manner and Time as Applications for Presentments for public Works are herein-before directed to be lodged, an Application setting forth the Loss or Damage occasioned by such Offence, and stating the Time and Place when and where such Injury was done, the particular Property consumed, injured, or destroyed, and the Amount of Damage thereby sustained, and by what Number of Persons, and whom, by Name and Description, such Injury was done, if such Offender or Offenders shall be known, and if not, stating such Particulars respecting such Offender and Offenders as may be known; and like Notices shall be posted of such Application as herein-before prescribed in Cases of other Applications to Presentment Sessions; and such Application shall be scheduled by the Secretary of the Grand Jury, and by him dealt with in all respects as other Applications under this Act; and the Presentment Sessions shall examine into the serving and posting the Notices of such Application, and into the Merits of the same, and the Chairman shall endorse their Opinion thereupon, and such Secretary shall deliver such Application so endorsed to the Grand Jury at the next Presenting Term; and the said Grand Jury shall examine into the Matter of such Application, upon the Oath of the Party injured, or such other Evidence as can be produced touching the said Offence; and the said Grand Jury shall, on the Consideration of the said Matter, either disallow such Application altogether, or present such Sum or Sums of Money as the Person or Persons so injured ought to receive for such Injury or Damage, to be levied off the County at large, or such Barony, Parish, District, Townland, or Sub-denomination thereof as the Grand Jury shall direct.

Notice to be given within Six Days to Churchwardens. Application to be made to Sessions, and disposed of by Grand Jury.

CXXIII. And be it enacted, That every Application under this Act for Compensation for Loss or Damage occasioned by any malicious Injury as aforesaid shall be made at the Presentment Sessions which shall be holden next before the Presenting Term after the Commission of such Offence for the Barony where the same shall have been committed, unless any such malicious Injury shall have been done after the Day appointed for holding the first Presentment Sessions before the next Presenting Term, or so near the Day of holding the same that such Application for Compensation cannot be duly lodged as herein-before directed; in either of which Cases the

Applications when to be made.

Person or Persons so injured shall make such Application at the Presentment Sessions which shall be holden for the Barony where such Offence shall have been committed before the Presenting Term which shall take place next after that following the Commission of such Offence, and the Notices of such Applications shall be posted accordingly; and it shall not be lawful for any Grand Jury to make any Presentment for Compensation for malicious Injury under the Provisions of this Act, except at the Presenting Term next ensuing to the Presentment Sessions where Application shall have been made therefor.

Persons injured to give in Examinations within Three Days, and declare whether they know the Party committing the Damage.

CXXIV. Provided always, and be it enacted, That every Person or Persons who shall under the Provisions of this Act apply for Compensation for any Loss or Damage occasioned by malicious Injury as aforesaid shall, within Three Days after the Commission of the said Injury, unless prevented by Illness or other sufficient Cause, give in his, her, or their Examination, or that Examination upon Oath shall be given by his, her, or their Servant or Servants who had the Care of his, her, or their Property so injured, before some Justice of the Peace of the County, thereby specifying whether he, she, or they do know the Person or Persons who committed the said Injury, or any of them; and in such Case such Examinant or Examinants shall be bound by Recognizance to prosecute such Offender or Offenders by Indictment or otherwise, according to the Laws of this Kingdom.

When Presentment is opposed or Application disallowed Jury may be sworn to try the Matter.

CXXV. And be it enacted, That all such Applications whatsoever for Compensation for Loss or Damage sustained by malicious Injury shall be laid by the acting Clerk of the Crown before the Judges of the Court of Queen's Bench on the First Day of the next Presenting Term; and in case any Person paying Grand Jury Cess for the said County or any Barony chargeable with the Sum presented by the Grand Jury, upon any such Application, shall be desirous of opposing any such Presentment, or in case any Person whose Application for Compensation shall have been disallowed by the Grand Jury shall wish to have his or their Application re-considered, such Cess-payer or Person or Persons applying for Compensation shall be heard; and in either of such Cases the Judges, if they shall so think fit, shall direct a Jury to be forthwith impannelled to try the Matter of such Presentment or Application respectively at Nisi Prius, and according as the Issue shall be found for or against such Cess-payer the Judges shall discharge, alter, or fiat such Presentment; and in case of Application disallowed, if the Issue shall be found for the Person or Persons applying for Compensation, the Judges of the said Court shall direct the Grand Jury for the Time being to make Presentment thereupon accordingly, otherwise such Application shall be discharged; and all Verdicts of Juries impannelled as aforesaid to try any such Issues shall be final and conclusive to all Persons whatsoever; and it shall be lawful for the said Judges to award by Rule for that Purpose Costs to the Parties for whom the Issue shall be found against the other Party or Parties respectively in any Sum not exceeding Ten Pounds Sterling; and the said Judges are hereby empowered to direct and issue

issue forthwith an Order or Orders in the Nature of an Execution against such last-mentioned Party or Parties respectively, which said Order or Orders the Sheriff of such County is hereby required to execute in the same Manner as in Cases of Execution against the Chattels and Effects of Defendants.

No Presentment for Compensation to be removed by Certiorari, nor Traverse allowed, nor Action in Cases provided for.

CXXVI. And be it enacted, That no Presentment for Compensation for Loss or Damage as aforesaid shall at any Time be removed by Certiorari, nor shall any such Presentment be at any Time quashed for any Informality, Imperfection, or Defect in Form whatsoever; and no Traverse, save as herein-before directed, shall be allowed or received to any Presentment, nor shall any Action or Suit for the Recovery of any Satisfaction or Damages sustained by reason of any Injury for which the Person or Persons injured thereby may be entitled to apply for Compensation under the Provisions of this Act, be brought or prosecuted against any chief or other Magistrate, or any Inhabitant or Inhabitants of any Parish, or other Person or Persons whatsoever, any Act or Acts now or heretofore in force in *Ireland* to the contrary notwithstanding.

Mode of obtaining Compensation for Injury committed near Boundary of the County.

CXXVII. Provided also, and be it enacted, That in case such burning or other malicious Injury as aforesaid shall be committed on the Verge or within the Distance of One Mile of the Boundary between the said County of *Dublin* and any One or more Counties, the Person or Persons who shall sustain such Injury may apply for Compensation in the Manner herein-before directed in either or any one of such Counties; and such Application, if made in the County of *Dublin*, shall be made in the Manner herein-before directed, but if in any other County in the Manner authorized and directed by any Act or Acts in reference to such County; and all Proceedings shall be taken thereupon as herein-before provided with respect to other Applications for Damages for malicious Injury; and in case any Sum or Sums of Money shall be presented by the Grand Jury of the County where such Application shall be made, or shall be finally awarded by the Verdict of any Jury as and for Compensation to the Person or Persons applying as aforesaid, the Judge at the Assizes of such County, or at the Presenting Term for the County of *Dublin*, shall have Power and Authority to apportion the Amount of such Compensation amongst such Counties or any Baronies thereof, and shall direct the Proportion of the same which shall be paid by them respectively, and shall certify the same accordingly; and such Presentment shall thereupon be diminished, or Presentment made according to the Proportion which the said Judge shall direct to be paid by such County; and the Grand Jury or Grand Juries of the said other County or Counties respectively shall and they are hereby required, on the Production of the Certificate of such Judge declaring the Proportion to be paid by such County or Counties, to present such Proportion, when the same shall exceed One hundred Pounds, to be raised off the County at large, and if such Proportion shall be under One hundred Pounds, to be raised off the Barony or Baronies in or near to which such Injury shall be alleged to be committed, and paid to the Person or Persons so applying, as the Case may require.

CXXVIII. And

No Fees to be taken for such Presentments.

CXXVIII. And be it enacted, That no Fee shall be demanded from or paid by any such Cess-payer or Person applying to the Clerk of the Crown, Judges, Crier, or Jury, for any Matter or Thing relating to any such Application, Presentment, or Trial.

Justices at Quarter Sessions shall divide County into Two Coroners Districts.

In Cases of sudden Death, Sub-Inspector of Constabulary, &c. shall give Notice thereof to Coroner.

CXXIX. And be it enacted, That it shall be lawful to and for the Justices of the Peace for the said County of *Dublin*, at the Quarter Sessions next after the First Day of *January* One thousand eight hundred and forty-five, and they are hereby required, to divide the said County into Two Coroners Districts, appropriating a certain Number of the Baronies to the one District and the Remainder to the other, and to allocate one of these Districts to each of the Coroners of the said County; and that hereafter whenever any Death attended with suspicious Circumstances shall occur, or any dead Body be found in any District, it shall be the Duty of the Sub-Inspector of the Constabulary, or Superintendent of Metropolitan Police, acting for the District in which such Death may take place, or in his Absence for the Head Constable or other Constable having charge of such District, to give immediate Notice thereof to the Coroner of the District in which such Death may have taken place, or said dead Body have been found, and if his Attendance cannot be obtained, then to the Coroner of the other District, in order that an Inquest may be held: Provided always, that no Inquest shall be held by any Coroner in any District other than his own, except during the Absence or Illness of the Coroner of such other District, or during the Vacancy of such Officer.

Head Constable shall be Inspector of Weights and Measures.

CXXX. And be it enacted, That the Head Constable of each District shall henceforth be *ex officio* an Inspector of Weights and Measures within such District, and shall possess and exercise all the Powers, Authorities, and Provisions which any Inspector of Weights and Measures may possess under and by virtue of an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-three, and shall perform such Duties, under the Direction of the Magistrates at Petty Sessions, without Fee or Reward, and notwithstanding any manorial Jurisdiction or Claim of Jurisdiction within such District.

Committee may be appointed to superintend Court Houses.

CXXXI. And be it enacted, That it shall be lawful for the Grand Jury of the County at each Presenting Term to appoint a Committee to superintend and have charge of each Court House belonging to the County, or rented for the Use thereof, and to authorize such Committee to expend a Sum not exceeding Forty Shillings in petty incidental Repairs which may become necessary in such Court House; and the Finance Committee, upon being satisfied as to its just Application, shall pay the same.

Offices of Inspector of Accounts and of Treasurer of County of Dublin abolished.

CXXXII. And be it enacted, That from and after the First Day of *March* One thousand eight hundred and forty-five the Office of Treasurer of the County of *Dublin*, and also the Office of Inspector of Accounts and Grand Jury Presentments in the said County of *Dublin*, shall cease and be abolished.

CXXXIII. And

Compensation to Officers.

CXXXIII. And whereas the said Office of Treasurer was created and has existed since the passing of an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, for the Regulation of Presentments in the County of *Dublin*: And whereas it is just and reasonable that the present Officer, who has filled the said Office for a Period exceeding Twenty Years, should have Compensation granted to him; be it enacted, That it shall and may be lawful for the said Officer to apply by Memorial to the Lords Commissioners of Her Majesty's Treasury for Compensation for the Loss of his Office, which Memorial shall contain a Statement of the Number of Years during which he shall have acted as such Treasurer, and of the yearly Sum or Salary received by him for the last Ten Years respectively; and the said Lords Commissioners shall thereupon make such Order as to them shall seem just; and such Order, signed by Three or more of such Lords Commissioners, shall be binding on all Parties; and the said Lords Commissioners shall and may in such Order direct that the said Compensation shall be paid to such Officer, in such yearly Sum for and during the Term of his natural Life, or in one gross Sum in lieu of all Demands upon the County, as to them shall seem just and reasonable, and that it shall and may be lawful for the Grand Jury of the said County, and they are hereby required, at each Presenting Term, without previous Application at Presentment Sessions, to present such Sum to the said Treasurer to be raised off the County at large: Provided always, that such yearly Payment may be at any Time commuted for a Principal Sum, payable immediately or by Instalments, at such Rates as may be agreed upon between the said Officer and the Grand Jury of said County at any Presenting Term, and such Grand Jury may present such Sum accordingly.

Presentment may be traversed.

CXXXIV. And be it enacted, That it shall be lawful for any Person paying Grand Jury Cess for the County to traverse any Presentment made under this Act by the Grand Jury of such County, and also to object to the Application of any Contractor under this Act for Payment, on the Ground of such Contractor not having complied with the Terms of his Agreement, or with the Provisions of this Act; and the Court at each Presenting Term is hereby authorized and required to try the Truth of the Fact by a Jury, in the same Manner as any Traverse within the Jurisdiction ought to be tried; and it shall not be lawful for the Clerk of the Crown or Clerk of the Peace to take any Fee in respect of such Traverse, and Costs shall be paid by the Party against whom such Traverse shall be found: Provided always, that although there shall be Verdict against such Traverse, yet if the Court shall be of opinion that there was reasonable and probable Grounds for traversing such Presentments, or the Application of such Contractor, the Costs shall be paid by the Finance Committee from and out of the County Monies to their Credit; and the Grand Jury shall present the same without previous Application to Presentment Sessions: Provided also, that every Person intending to traverse any Presentment or Payment for which it is by this Act required that Application shall be made at the Presentment Sessions, shall give Notice in Writing of such Intention to the Secretary of the Grand Jury, within Two Days after

the first Day of such Sessions, and the same or any other Presentment shall be traversed only at the Presenting Term at which the Presentment shall be made.

Presentments for new Roads, &c. may be traversed for Damages.

CXXXV. And be it enacted, That it shall be lawful for any Occupier or Owner of the Ground through which any new Road is to be made, or into which any old Road is to be widened, to traverse the Presentment for the same for Damages at such Presenting Term aforesaid, having given like Notice to the Chairman of the Presenting Sessions, and to the Secretary of the Grand Jury, previous to the Commencement of such Presenting Term, of the Amount of Damage intended to be claimed, which Traverse or Traverses shall be tried then or at the ensuing Presenting Term, upon the Entry in the Crown Book of the Presentment and Traverse, without making up any Record; and the Jury which shall try such Traverse shall be sworn true Verdict to give, whether any and what Damages will occur thereby to the Traverser, taking into consideration any collateral Advantages which may result or accrue to such Traverser by reason thereof, and making Abatement accordingly; and it shall be lawful for the Grand Jury to present, without previous Application at Presentment Sessions, such Sum or Sums of Money so found for Damages to be raised off the County or off the Barony respectively in which the Traverser shall have made it appear that he or she sustained the Damages, and to such latter Presentment no Traverse shall be allowed or received; and upon the Damages so found being presented for the Use of such Traverser, or deposited for his or their Use with the Secretary of the County, it shall be lawful for the Contractor to proceed in the Execution of the Presentment without the Interruption of any Person.

Contractor and Surveyors may take Materials for Roads, &c.

CXXXVI. And be it enacted, That every District Surveyor, and every Contractor for any Work to be executed by Grand Jury Presentment, shall have Power and Authority to dig for, raise, and carry away in or out of any Lands, not being a Deer Park, Bleach Green, Orchard, walled Garden, Haggard, or Yard, or planted Walk, Lawn, or Avenue to a Mansion House, any Gravel, Stones, Sand, or other Materials, whether the same be found in the same or any adjoining County, which may be wanted for the building, rebuilding, enlarging, or repairing any Bridge, Arch, Gullet, Pipe, or Wall, or for the making, repairing, or preserving any Road or Footpath; and such Surveyor or Contractor is hereby further empowered to make Drains, in order to carry off Water which might injure any Bridge, Gullet, Arch, Pipe, Wall, or Road, in or through any Lands not being a Deer Park, Bleach Green, Orchard, walled Garden, Haggard, or Yard, or planted Walk, Lawn, or Avenue to a Mansion House, and shall make such Satisfaction for the Damage done thereby, or by taking any such Materials as aforesaid, as shall be agreed upon between the Parties, or assessed by Three Appraisers, which Appraisers shall view the Ground immediately previous and immediately after such Damages shall be committed, one of such Appraisers to be named by the Owner or Occupier of the Land, and another by the Surveyor or Contractor, and the third by any neighbouring Justice of the Peace; and in case any Surveyor or Contractor

Damage to be assessed by Three Appraisers.

Contractor shall refuse, or, after Four Days Notice in Writing from such Landholder, neglect to name an Appraiser on his Part, then one shall be named for him by such Justice; and such Three Appraisers shall be sworn by such Justice of the Peace (previous to the Damage being committed) to be Appraisers of such Damages as may occur, and to make a true Estimate thereof, in which Estimate the Value of any Stones, Gravel, or other Materials shall not be included, but only the Waste committed by breaking the Surface, and making a Passage through the Land, unless where such Stones, Gravel, or Materials shall be taken from any Quarries or Gravel Pits *bonâ fide* demised, with Liberty to work the same; and the Amount of the Damage to be awarded shall be paid to the Owner or Occupier of the Ground as awarded, and One Shilling each to the Appraisers, within One Week after the Award, and in default of Payment may be recovered in Summons before any Justices at Petty Sessions: Provided always, that it shall not be lawful for any such Contractor or Surveyor to enter any Lands for any such Purpose against the Will of the Occupiers thereof without the previous Order of Two Justices of the Peace at Petty Sessions, which Order such Justices are hereby authorized and required to grant, on its being proved to their Satisfaction that the Gravel, Stones, or other Materials sought cannot be conveniently procured elsewhere, nor such Drain otherwise sufficiently made or cleansed.

Materials not to be taken to Injury of Road or Building.

CXXXVII. And be it enacted, That it shall not be lawful for any such Surveyor or Contractor to dig, raise, and carry away any Gravel, Stones, Sand, or other Materials from the Side of any public Road, or from any Beach or Sea Shore, whereby a public Road, or Bulwark or Defence to any Building or any Land adjoining any Road, may be injured, and that any Person who shall be convicted thereof on the Oath of One or more credible Witnesses before any Justice of the Peace shall for every such Offence forfeit and pay a Sum not exceeding Five Shillings for every Cart-load of such Gravel, Stones, Sand, or other Materials so dug, raised, or carried away, to be levied, by Warrant of Distress under the Hand and Seal of such Justice, off the Goods and Chattels of such Offender.

Nuisances and Penalties.

Regulation of Drivers.

CXXXVIII. And be it enacted, That the Drivers of every Kind and Species of Vehicle, and all Persons riding or driving any Animal or Animals, laden or unladen, on any Road or in any Street in the said County, shall keep their Left-hand Side of the Road or Street in going or coming thereon, leaving the other Side free to all other Passengers, and when they may have Occasion to pass any other Persons going in the same Direction with themselves shall, in all Cases where it is practicable, take and go on the Right-hand Side of such Persons; and on every Cart, Car, or other Carriage without Springs on any Road upon which Her Majesty's Mails are conveyed in Coaches, or any other Road being a County Road, the Name and Surname and Residence of the Owner of such Vehicle shall be painted in White Roman Letters One Inch long at the least; and every Car or Cart drawn by One Horse, Mule, or Ass shall have a double Rein extending back to such Car or Cart; and if any Person shall wilfully refuse or neglect to drive or pass in manner aforesaid, or if

if any Person shall drive any Vehicle on any such Road, whereon the Name of the Owner is not painted, or without a double Rein as aforesaid, it shall and may be lawful for any Magistrate, Constable, or Turnpike Keeper to stop and detain such Offender, and the Vehicle and Animal or Animals on which or with which such Offender shall be, and forthwith to carry or convey such Offender before any Justice of the Peace for the County where such Offence shall be committed, or for any Person whatsoever to lodge Information against such Offender before any such Justice; and upon being convicted thereof upon the Oath of One credible Witness every such Person so offending shall forfeit and pay any Sum not exceeding Five Shillings, to be levied by Distress and Sale of the Goods and Chattels of such Offender, or by Distress and Sale of the Carriage and Horse or Horses or other Beasts, and the Goods therein or thereon, wherewith such Offender shall have been travelling at the Time of such Offence, such Distress to be made under the Hand and Seal of such Justice, rendering the Overplus (if any), after deducting the said Fine and Expences of such Distress and Sale, to the Owner or Owners, on Demand, one Half of the Amount of the Penalties so levied to be paid to the Informer, and the remaining Half to the Dispensary of the District, or such other charitable Purpose as the Justices shall direct; and if Distress sufficient for such Penalty or Penalties shall not have been seized or found it shall and may be lawful for such Justice and he is hereby empowered and required to commit such Offender so convicted to the Common Gaol for any Time not exceeding One Calendar Month, unless such Offender shall sooner pay and satisfy the Damages which shall happen in consequence of any such Neglect or Default as aforesaid.

No House to be built within Thirty Feet of Centre of Road.

CXXXIX. And be it enacted, That no House or Part of a House shall be built within Twenty Feet of the Centre of any Road, or within Ten Feet of the Side thereof (except in the Streets of Corporation or Market Towns, or except where a House now stands), and that if any Person shall offend herein every such Person shall, upon Conviction before any Justice of the Peace, forfeit and pay a Sum not exceeding Ten Pounds, and a further Sum not exceeding Ten Shillings for every Week after such Conviction, until the same shall be pulled down or removed; and no Windmill shall be built within Two hundred Feet, and no Limekiln within One hundred Feet, of the Centre of any public Road; and it shall be lawful for any Justices, at a General Sessions of the Peace, to direct any House, Limekiln, or Windmill built or building contrary to this Act to be pulled down, and to issue their Orders to any Constable or Constables for that Purpose, which Order every Sub-Inspector or Head or other Constable shall aid and assist in executing; and the Centre of the Road, for the Purposes of this Act, shall be deemed to be the Centre of the Part thereof made with Gravel or small Stones.

What deemed to be the Centre of the Road.

Persons who scour or fill up Ditches on Sides of Roads without

CXL. And be it enacted, That if any Person shall scour, deepen, widen, or fill up any Ditch or Drain on the Side of any Road, without the Consent or Direction of the District Surveyor or a Road Warden, or if any Owner or Occupier shall omit to scour any Ditch or Drain leading from any public Road, so as to give full Liberty to the Water

to

to pass away, within Ten Days after Notice shall be given to him or her so to do by such Surveyor or a Road Warden or any Justice of the Peace, or shall permit or suffer the free Passage of the Water to be obstructed by making or having any Way or Passage from any Road into the Lands adjoining, or to his or her House, without a sufficient Pipe, Sewer, or Gullet underneath; or shall ride or drive any Horse, Beast, or other Cattle, or any Cart or Carriage, willingly or unnecessarily, on or against any Footpath; or shall wilfully cross, so as to prevent any other Person passing him, or shall drive furiously, so as to endanger Passengers on any public Road; or shall steep or dry any Flax, or burn any Bricks or Lime, or any Weeds or Vegetables for Ashes, or permit the same so to be steeped, dried, or burned, on his or her Land, within One hundred Feet of the Centre of any public Road; or shall light any Fire, or shall cut any Turf, or make any Turf Stacks on any public Road, or within Forty Feet of the Centre of the same; or shall build any Wall, or make any Ditch, or dig any Pit or Hollow, on any public Road, within Thirty Feet of the Centre thereof, or within Fifteen Feet of the Side thereof, unless by Authority of any Presentment; or shall lay or cause to be laid any Dirt, Dung, Turf, Straw, Rubbish, or Scouring of any Ditches or Drains, or any Stones, Bricks, Timber, Sand, Clay, or Lime, on any public Road, or within Thirty Feet from the Centre of such Road, or shall suffer same to be laid in any County Road opposite to his Land; or shall leave on any public Road, or permit to be left on the same, opposite to or near his or her House or Offices, any Plough or Harrow, or any Cart or Car, Dray or other Carriage, without the Horse or Horses or other Beast or Beasts being harnessed thereto, unless such Carriage shall have been accidentally broken down there; or shall spread any Linen, Blanket, or Cloth for winnowing Corn within One hundred Feet of the Centre of any public Road; or shall spread any Clothes for drying on the Side of any Road; or shall slaughter any Beast, or leave any dead Beast, on any Road; or skin or permit to be skinned the Carcase of any Beast on any public Road, or within One hundred Feet of the Centre thereof, unless in a House or Yard enclosed with Walls; or shall hoop, cleanse, fire, or scald any Cask, or bind any Cart or Car Wheels, or shall beat any Flax, or winnow any Corn, or erect any May-pole, May-bush, or Sign-post, on any Road; or shall make or assist in making any Fire or Fires commonly called Bonfires, or shall wantonly set off and throw any Squib, Rocket, or other Firework, within Eighty Feet of the Centre of any Road; or shall bait any Bull, or play at Foot-ball, Hurling, or any other Game or Games, upon any Road or the Sides thereof, or fly any Paper Kite to the Annoyance of Passengers; or shall keep any Cur, Mongrel, Mastiff, or Bull-dog, or other dangerous Dog, without having such Dog muzzled, or a Block of Wood, of sufficient Weight to prevent such Dog being dangerous, fastened to the Neck of every such Dog, at any House within Fifty Yards of any public Road; or shall leave or suffer any Horse or Goat, Swine or other Animal, his Property, to feed or wander on any Road; or shall, without the Consent of the District Surveyor or a Road Warden, scrape any public Road, or cut any Sods of Turf on the Side of any such Road, or take away any Earth, Clay, Scrapings, Stones, or Gravel therefrom; or make any Drain, Gutter, Sink, or Watercourse across,

Consent of Surveyor or Road Warden, or Occupiers omitting to scour their Ditches, &c. for Water to pass through after Notice, or Persons committing Nuisances herein described, liable to Penalty.

across, or otherwise break up or upon the Surface of any Road or Footpath; or shall load or drive any Car or Carriage with Timber, Boards, or Iron laid across, so as that either End may project more than Thirty Inches beyond the Wheels and Sides of the Carriage; or shall draw any Timber or Millstone along any Part of a public Road without being supported by Wheels from touching the same; or shall neglect to cut or clip the Hedges at the Side of any public Road at a Height not exceeding Five Feet, Timber Trees therein excepted, within Ten Days after being noticed so to do by any Justice of the Peace for the said County, District Surveyor, or Road Warden, provided that no such Notice shall be given from the First Day of *April* to the First Day of *September*; or, being a Blacksmith, and having a Shop or Forge with a Window fronting any Road, shall neglect, after it becomes Twilight, to bar and prevent Light from such Shop shining into such Road; every Person so offending shall, upon Conviction by the Oath of One credible Witness before any Justice of the Peace within his Jurisdiction, or upon the View of any such Justice, forfeit a Sum not exceeding Ten Shillings for every such Offence; and it shall be lawful for such Justice, by Warrant under his Hand and Seal, to empower such District Surveyor or Road Warden to fill up any Ditch or Drain which shall be scoured, deepened, or widened, or to scour any Drains which have been filled on the Side of any Road without such Direction or Consent as aforesaid; and to scour or deepen any Drain or Ditch, or remove any Way or Passage leading from any Road into any adjoining Land, or to any House which may obstruct the free Passage of the Water, and to re-make the same by building a Gutter, Sewer, or Arch therein; and to remove any Brick or Lime Kilns, Weeds or Vegetables for making Ashes, which shall be burning, or any Flax which shall be steeped or drying, within One hundred Feet of the Centre of any public Road; and to pull down any Sign-post, May-pole, or May-bush; and to pull down or fill up and level any Wall, Drain, or Ditch which shall be built or made or begun to be built or made contrary to this Act; and to have removed the Carcase of any dead Beast which shall remain in or near any public Road contrary to this Act; and to have every such Hedge effectually clipped and cut, Timber Trees alone excepted; and to levy the Expence of so doing by Distress and Sale of the Goods of the Offender, or of the Occupier of the Lands wherein such Way, Passage, or Drain shall be, rendering the Overplus (if any) to the Owner, after deducting the Sum of One Shilling in the Pound for the Expence and Trouble of taking such Distress.

Dung, &c. on public Road may be taken away by any one having Permission of the Surveyor.

CXLI. And be it enacted, That all Dirt, Dung, Turf, Straw, Rubbish, and Scouring, and all Clay, Stones, Bricks, Sand, or Lime, which shall be laid on any public Road, or within Thirty Feet of the Centre thereof, without such Consent or Direction as aforesaid, shall be and is hereby declared to be forfeited; and it shall be lawful for any Person whatsoever, having obtained Permission from the Surveyor or a Road Warden, or One Justice of the Peace for the County, to take, carry away, and convert the same to his or her own Use, as also all Corn which shall be laid on any public Road for the Purpose of being winnowed, or shall be winnowing thereon,

or remain there after having been winnowed thereon, together with the Sacks or winnowing Cloths whereon the same may happen to be, and all Flax which shall be beating on any public Road, or to be laid there for the Purpose of being beaten, and any May-bush or May-pole which shall be erected on any public Road, without the Let, Suit, Trouble, or Hindrance of any Person whatsoever.

Forfeiture for laying Rubbish on Roads.

CXLII. And be it enacted, That for every Cart-load of Dung, Rubbish, or Scouring which shall have been laid on any public Road, or within Thirty Feet of the Centre thereof, contrary to the Provisions of this Act, and which shall be drawn away by the Directions of any Magistrate, District Surveyor, or Road Warden after having remained there for Twenty-four Hours, the Person by whom or by whose Order the same was laid there, or who shall be liable to Penalty for the same being laid there, upon Conviction before any Justice of the Peace within his Jurisdiction, by the Oath of One credible Witness, shall forfeit not exceeding Two Shillings and Sixpence for every Day the same shall have remained there; and it shall be lawful for any Justice of the Peace within his Jurisdiction to issue his Warrant to order any dangerous Dog which shall be kept near any public Road contrary to the Provisions of this Act to be killed, and the District Surveyor or Road Wardens and Constables within their respective Jurisdictions may seize or kill any such Dog.

Justices may issue Warrant for killing dangerous Dogs.

Cattle found straying on Road may be impounded where Owner is unknown;

CXLIII. And be it enacted, That it shall be lawful for any Constable or other Person to seize and impound, or cause to be seized and impounded, any Horse, Mule, Ass, Bull, Cow, Sheep, Goat, Swine, or Beast which shall be found wandering or feeding upon any public Road, the Owner whereof is unknown, except in such Parts of any Road as lead or pass through or over any Commons or waste or uninclosed Ground, or about the Streets or Passages of any Town, and to make complaint to any Justice of the Peace; and in case the Owner thereof shall not be discovered within Seven Days it shall be lawful for such Justices to cause such Swine or Beast to be sold, and out of the Money arising from the Sale thereof to pay a Penalty not exceeding Two Shillings, and Expences of impounding, keeping, and selling the same, rendering the Overplus, if any, to the Owner, Notice of such Sale, in which shall be inserted the Name of the Parish and Townland where such Swine or Beast was seized, being first posted up in some conspicuous Place in the Parish where seized, and at the Place where impounded, Three Days at the least before the Time of Sale; and that it shall be lawful for any Justice, Peace Officer, Constable, Surveyor, or Road Warden within their respective Jurisdictions to cause Notice in Writing to be served upon or left at the Dwelling House or usual Place of Abode of any Person, or upon the Occupier of any House or Land, in any of the Streets or Passages of any City, Town Corporate, or Market Town, who shall lay in any such Street or Passage any Dirt, Dung, Turf, Rubbish, Stones, Bricks, Timber, Sand, Clay, Lime, or other Nuisance, or shall leave any dead Beast or Skin, or permit to be left or skinned the Carcase of any Beast, or shall erect or suffer to be erected any May-pole, May-bush, or Sign-post, or shall dig or leave open any Pit or Hole, or suffer any such to be dug

and Nuisances may be abated.

dug or left open, or shall keep any Dog without being muzzled, or having a Block of Wood of sufficient Weight fastened to the Neck of such Dog, to remove or abate such Nuisance; and if such Person shall neglect to remove or abate any such Nuisance for Forty-eight Hours after such Notice shall have been served or left as aforesaid it shall be lawful for such Justice, Officer, Constable, or Surveyor or Road Warden as aforesaid to remove such Nuisance, and apply the same to his own Use, and to fill up such Pit or Hole; and every Person who shall be convicted of such Neglect, on the Oath of One credible Witness, before any Justice of the Peace of the County at Petty Sessions, or Chief Magistrate of the Town where the Offence shall be committed, shall for every such Offence forfeit and pay a Sum not exceeding Ten Shillings, to be applied in aid of the Dispensary of the District, or such other charitable Purpose as the Justice shall direct.

Contractor, &c. not liable to Penalty, except as herein.

CXLIV. Provided always, and be it enacted, That nothing hereinbefore contained shall render any District Surveyor, or any Contractor for any public Work under this Act, liable to any Penalty for any Act done or performed by the said Surveyor, or in the Discharge of the Duties of his Office, or by any such Contractor in the due and necessary Execution or Performance of his Contract; but if any such Surveyor or Contractor shall lay or cause to be laid any Heap of Stones, Gravel, Rubbish, or other Matter whatever upon any public Road, and allow the same to remain there at Night, to the Danger or personal Damage of any Person passing thereon, all due and reasonable Precaution not having been taken by the said Surveyor or Contractor to prevent any such Danger or Damage, such Surveyor or Contractor shall forfeit for every such Offence any Sum not exceeding Forty Shillings.

Surveyors may require Occupiers to prune Trees; in default, may summon before Justices.

CXLV. And be it enacted, That if any District Surveyor or Contractor for the repairing of any public Road in the said County shall think that any Obstruction is caused in any public Road by any Trees, so as to occasion Danger to the Public, it shall be lawful for such Surveyor or Contractor, and they are hereby, each or either of them, authorized, to require the Owner of the Land on which such Trees are growing to cause such Trees to be pruned or lopped, so as that such Road may not be prejudiced or obstructed by the same; and if such Owner shall not comply with such Request within Ten Days it shall and may be lawful for such Surveyor or Contractor, and they are hereby respectively authorized and required, to summon such Owner before the Justices assembled at any Petty Sessions for such County, to show Cause why he has not complied with such Request; and if such Justices shall order and direct that such Trees shall be pruned or lopped, and if the said Owner shall not obey such Order within Ten Days after the making of the same, it shall and may be lawful for such Surveyor or Contractor to prune or lop such Trees, and to remove such Obstruction as aforesaid, to the best of their Skill and Judgment; and the said Surveyor or Contractor shall be reimbursed by the said Owner what Charges and Expences he shall be at in pruning or lopping such Trees; and it shall be lawful for such Justices at Petty Sessions as aforesaid to direct such Charges and

and Expences to be levied by Distress and Sale of the Goods and Chattels of such Owner, in such Manner as other Distresses and Sales for Forfeitures are authorized and directed to be levied by virtue of this Act: Provided always, that no Person shall be compelled, nor any such Surveyor or Contractor permitted, to cut or prune any Hedge at any other Time than between the last Day of *September* and the last Day of *March*.

Penalty on Persons obstructing Surveyors or Contractors, or injuring County Works.

CXLVI. And be it enacted, That if any Person shall wilfully prevent, assault, or threaten to assault any Surveyor, Contractor, Collector, or other County Officer in the Execution of his Duty, or any Person or Persons employed by proper Authority in surveying or measuring or laying out any Line intended for a new Road, or if any Person shall wilfully destroy, pull up, deface, or injure any Surveyor's Instruments or Implements used in public Works, or any Milestone, Mile Post, or Direction Post, or any Bridge, Battlement, Wall, Railing, Mound, or Fence erected or repaired by Presentment, or shall wilfully break, deface, pull down, or take away Stones out of any such Battlement, Wall, Mound, or Fence, or out of any Court House, Gaol, House of Correction, Pier, or other Buildings, or out of any Bridge, Pipe, Arch, or Gullet, built or repaired by Presentment, every Person so offending shall forfeit and pay for every such Offence, upon Conviction, by the Oath of One credible Witness, before any Two Justices of the Peace at Petty Sessions, such Sum not exceeding Ten Pounds as the said Justices shall think fit; and in case the same shall not be paid such Justices are hereby empowered and required to commit such Offender to any Gaol, Bridewell, or House of Correction for any Time not exceeding Three Months, or until the said Forfeiture shall be paid; and it shall be lawful for the Secretary of the County, if directed by the Grand Jury so to do, to commence and prosecute an Action on the Case against any Person or Persons by whom such Injury may have been committed, and for recovering of Damages to the Amount thereof from such Person or Persons for the Use of the County, and when the Damages sought to be recovered do not exceed Thirty Pounds to sue for the same by Civil Bill before the Chairman of *Kilmainham*; and in every such Proceeding the Property so injured or destroyed shall for the Purpose of such Proceeding be deemed to be the Property of such Secretary.

Constables, &c. shall report Nuisances.

CXLVII. And be it enacted, That every Sub-Inspector, Head Constable, and other Constable shall and he is hereby required to report all such Nuisances as shall occur within his District to the Magistrate or Magistrates at Petty Session next to be holden in and for the said District, who shall hear and decide, and punish by Fine or otherwise as herein-before directed.

No Stamp Duty upon Contracts and Recognizances under this Act.

CXLVIII. And be it enacted, That no Contract for any public Work under the Provisions of this Act, or any Recognizance to be entered into for the Execution of the same by virtue of this Act, or any Receipt given by any Collector under this Act, shall be liable or subject to any Stamp Duty imposed by any Act or Acts passed or to

Proceedings for Breach of Contract.

to be passed, unless specially mentioned therein; and whenever the Amount of any such Contract, or the Sum for which any such Recognizance shall be conditioned, or the Sum sought to be recovered by virtue of such Recognizance or Contract, shall not exceed the Sum of One hundred Pounds, it shall be lawful to proceed against any such Contractor or his Securities for such Sum, or for Damages for the Breach of any such Contract, by Civil Bill before the Chairman of *Kilmainham*; and the said Chairman shall have full Power to hold Plea thereof, and the same shall and may be proceeded on in like Manner in all respects, and the like Decree or Judgment and Execution shall and may be had thereon, and also the like Benefit of Appeal, and of Proceedings, Judgment, and Execution thereon, as in case of any other Sum or Demand which may now by Law be had or used before such Chairman.

Forfeitures to be levied by Distress and Sale.

Application thereof.

CXLIX. And be it enacted, That all Fines and Forfeitures inflicted by virtue of this Act, if not immediately paid, shall be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of a Justice of the Peace, together with all Expences attending the levying the same; and all such Fines, unless otherwise specially directed by this Act, shall, when levied and paid, be given, one Half to the Informer, when the Justice convicting shall so direct, and the other Half, or the whole if not awarded to the Informer, to such Dispensary, Hospital, or Infirmary as the Justice shall direct; and in case any Fine be not immediately paid upon Conviction, or within such Time as the Justice shall appoint, it shall be lawful for the Justice of the Peace before whom such Conviction shall have been made to commit the Offender to Gaol for any Time not exceeding Two Months, or until the Fine be paid.

The Party distraining not to be a Trespasser in consequence of any Irregularity.

CL. And be it enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity on the Part of the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damages in any Action on the Case.

General Issue may be pleaded.

CLI. And be it enacted, That if any Person shall be sued, molested, or troubled for putting into execution any of the Powers contained in this Act, or for doing any Act, Matter, or Thing pursuant thereto, such Person shall and may plead the General Issue, and give the special Matter in Evidence, and may avow the taking of any Distress on the acting Finance Committee and Justice's Warrant merely, without going into other Title or Authority; and if the Plaintiff or Plaintiffs shall be nonsuited, and Judgment given against him, her, or them, upon Demurrer or otherwise, or a Verdict pass for the Defendant or Defendants, or a Dismiss upon a Civil Bill, such Defendant or Defendants shall have his, her, or their Treble Costs, to be recovered by such Method and Manner whereby Law Costs are given

given to Defendants; and no Inhabitant, Magistrate, or Cess-payer of the County shall be deemed to be an incompetent Witness in any Court of Law or Equity by reason of his being liable to be rated or being rated or assessed towards the Payment of any Money presented or to be presented by a Grand Jury.

Justices not to take Money for Affidavits.

CLII. And be it enacted, That it shall not be lawful for any Justice of the Peace or any other Person to demand or take any Sum of Money or any Reward for swearing any Affidavit to be made by virtue of this Act; and if any Person shall wilfully swear or affirm or declare falsely in any Oath or Affirmation or Declaration made or taken by Authority or under any of the Provisions of this Act, every such Person, being thereof convicted, shall be adjudged guilty of wilful and corrupt Perjury, and incur the Pains and Penalties in such Case by Law provided; and it shall and may be lawful for any Grand Jury, without any previous Application to Presentment Sessions, to make such Presentments for defraying the Prosecution of such Delinquent as to them may seem fitting and expedient.

Money to be in present Currency.

Schedules Part of Act.

Notices not to be impeached on technical Grounds.

CLIII. And be it enacted, That the several Sums of Money in this Act mentioned shall be deemed to be the present lawful Money of *Great Britain* and *Ireland;* and the Schedules annexed to this Act shall be deemed and taken to be Part thereof, and the Forms therein contained shall be made use of in all Cases to which such Forms shall be applicable: Provided always, that it shall and may be lawful to erase or alter any Words in such Forms, so as to make them applicable to any particular Case, without materially altering the Substance, but no further; and that no Notice, Recognizance, Warrant, Traverse, Presentment, or other Proceeding or Matter whatsoever, served, made, taken, or had under this Act, shall be impeached on any technical or formal Grounds, or for any Informality, provided it shall be in Substance conformable to the Provisions of this Act.

Form of Conviction.

CLIV. And for the more easy and speedy Conviction of Offenders against this Act, be it enacted, That any Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words, or in any Form of Words to the same Effect, as the Case shall happen:

'BE it remembered, That on the Day of
'in the Year of our Lord *A.B.* is
'convicted by and before of Her Majesty's
'Justices of the Peace for the County of *Dublin*, for that the
'said [*here insert the Offence, and*
'*the Time and Place when and where the same was committed,*]
'contrary to the Statute made in the Year of the Reign
'of Her Majesty Queen *Victoria*, intituled *An Act* [*here set forth*
'*the Title of the Act*]; and I the said Justice [*or* we the said
'Justices] do hereby adjudge and determine that the said
'shall for his said Offence forfeit and pay the Sum of
'lawful Money of *Ireland*, and do order that the same shall be
'forthwith paid by him [*here direct the Payment according to the Act*].

'Given

'Given under my Hand and Seal [*or* our Hands and Seals], this 'Day and Year first above mentioned.'

Limitation of Actions.

CLV. And be it enacted, That no Action shall be commenced against any Person or Persons for any thing done in pursuance of this Act after Six Calendar Months next after the Fact committed, nor unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Paintiffs recover in such Action if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and every such Action shall be laid and tried in the County of *Dublin*, and not elsewhere; and if any such Action shall be brought before Twenty-one Days Notice shall have been given thereof as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County than as aforesaid, then and in such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Actions after the Defendant or Defendants shall have applied, or if upon Demurrer Judgment shall be given for the Plaintiff, then and in that Case the Defendant shall recover Double Costs, and shall have the like Remedy for the Recovery thereof as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Interpretation of Act.

CLVI. And be it enacted, That in the Construction of this Act the Words "Lord Lieutenant of *Ireland*" shall extend to and include any Lords Justices or other Chief Governor or Governors of *Ireland* for the Time being; and the Words "County of *Dublin*, and any Barony thereof," shall be construed with reference to and as the Boundaries thereof are defined in an Act passed in the Fifth and Sixth Year of Her Majesty's Reign, intituled *An Act to alter the Number and define the Boundaries of the several Baronies in the County of* Dublin; and every Half Barony shall be considered and deemed a Barony; and the Word "Park" or "House" to include and be construed to mean a Court-yard, Garden, or Orchard; and the Words "Stipendiary Magistrate" shall include a Justice or Magistrate of Police; and the Word "Petty Sessions" shall be deemed or taken to include a Police Divisional Office; and every Word importing the Singular Number shall extend and be applied to several Persons, Animals, or Things, as well as to One Person, Animal, or Thing; and every Word importing the Masculine Gender shall extend and be applied to a Female as well as to a Male; unless the contrary thereof shall be expressed, or that any such Construction as aforesaid shall be inconsistent with or repugnant to the Context.

5 & 6 Vict. c. 96.

Commencement of Act.

CLVII. And be it enacted, That this Act shall commence and take effect from and after the First Day of *January* One thousand eight hundred and forty-five, except where any other Commencement or any other Act or Thing is specially directed or authorized: Provided

vided always, that all Presentments and Contracts made, or Money to be levied, accounted for, or paid, under or in consequence of any Act or Acts in force in *Ireland* before the Commencement of this Act, shall be levied, accounted for, and paid in manner provided by the said former Act or Acts, and subject to the Rules, Regulations, and Provisions therein contained, any thing herein to the contrary notwithstanding: Provided also, that nothing herein contained shall be construed to affect, alter, or abridge the Powers, Duties, and Liabilities of any Overseer, Contractor, or other Person vested in or exercised by him or them under the Provisions of the said former Act or Acts, as far as respects the Completion of any Work or Works so presented and begun and entered upon at any Time before the Commencement of this Act.

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

SCHEDULES to which the foregoing Act refers.

SCHEDULE No. 1.

Declaration of Justices.

I *A. B.* of [*here insert the Name and Place of Abode of the Justice taking this Declaration*] do declare, That I am a Justice of the Peace of the County of Dublin, and that I will truly, faithfully, and impartially do and perform all such Acts, Matters, and Things as I am authorized to do and perform by and under the Provisions of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here set out the Title of this Act*]; and that I will, without Favour, Affection, Hatred, or Malice or Ill-will, diligently inquire into and impartially and honestly judge and determine according to the Evidence, and to the best of my Judgment and Ability, upon the several Applications and other Matters which may be brought before me under the Authority of the said Act. Witness my Hand.

SCHEDULE No. 2.

Declaration of associated Cess-payers.

I *A. B.* of [*here insert the Name and Place of Abode of the Cess-payer taking this Declaration*] do declare, That I will truly, faithfully, and impartially do and perform all such Acts, Matters, and Things as I am authorized to do and perform by and under the Provisions of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here set out the Title of this Act*]; and that I will, without Favour, Affection, Hatred, or Malice or Ill-will, diligently inquire into, and impartially and honestly judge and determine, according to the Evidence, and to the best of my Judgment and Ability, upon the several Applications and other Matters which may be brought before me under the Authority of the said Act. Witness my Hand.

SCHEDULE No. 3.

Form of Application for making a new Line of Road.

County of } We of and of
} do certify, That in our Opinion it would be useful to make a new Line of Road from to between and and that such new Line of Road is

is Perches in Length, and that said Perches are in the Townland [*or* Townlands] of in the Barony [*or* Baronies] of in this County; and we propose that Presentment for such Purpose be made under and by virtue of Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*]; and that the Expence of the same shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony *or* Baronies of].

(Signed) *A. B.*
C. D.

SCHEDULE No. 4.

Form of Application for the Repairs of Roads.

County of } We of and of do certify, That we have lately viewed and measured Perches of the Road from to between and and that the said Perches are in the Townland [*or* Townlands] of between the Houses and Lands of *A.* and *B.*, all in the Barony of in this County; and that the same are in need of Repair, and will require Repair during the ensuing Year; and that we propose that the Expence of the aforesaid Repairs shall not exceed Pounds for the ensuing Year, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of]; and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

(Signed) *A. B.*
C. D.

SCHEDULE No. 5.

Form of Application for widening Roads, and making Fences instead of those to be taken away.

County of } We of and of do certify, That we have lately viewed and measured Perches of the Road from to between and in the Townland [*or* Townlands] of all in the Barony [*or* Half Baronies] of in this County; and that every of the same is Feet wide, and no more, in the Clear within the Fences; and we are of opinion that it would be useful to the Public using such a Road to widen the same, so as to make that Part of the Road Feet wide in the Clear, and safe and level throughout the whole of the said Width, and to make new

new Fences instead of those which shall be taken down or destroyed in order to widen the same; and we propose that the Expence of widening and repairing the same shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

(Signed) *A.B.*
C.D.

SCHEDULE No. 6.

Form of Application for making or repairing Footpaths.

County of } We of and of } do certify, That in our Opinion it is necessary to make [*or* repair] Perches of Footpath on the Road from to between and all in the Barony of in this County; and we propose that the Expence of the aforesaid Work shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*] being an Act for [*here set out the Title of this Act*].

(Signed) *A.B.*
C.D.

SCHEDULE No. 7.

Form of Application for Presentments to fill Grips or Trenches on the Sides of the Road, and making sufficient Fences instead thereof.

County of } We of and of } do certify, That we have measured Perches of the Road from to between and all in the Barony of in this County, where there are Perches of immediately adjoining the said Road, of the average Breadth of and Depth of which are open and dangerous for Passengers and Travellers, and that it is necessary for the Safety and Security of the Public frequenting such Road to fill up the same, and to make a sufficient Fence instead thereof; and we propose that the Expence of the aforesaid Work shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue

virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

(Signed) *A. B.*
C. D.

SCHEDULE No. 8.

Form of Application for filling Dikes or Holes on the Sides of Roads.

County of } We of and
} of do hereby certify, That it is necessary for the Security of Travellers to fill up the Dikes [*or* Holes] immediately adjoining Perches of the Road from to between and all in the Barony of in this County; and we propose that the Expence of the said Work shall not exceed Pounds, and shall be defrayed by the County at large [*or* the Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act.*]

(Signed) *A. B.*
C. D.

SCHEDULE No. 9.

Form of Application for lowering a Hill or filling a Hollow, or both, &c.

County of } We of and
} of do hereby certify, That we have lately viewed Perches of a Road in the Townland of Barony of in this County, and we are of opinion that it would be useful [*here insert the Work proposed*]; and we propose that the Expence of the aforesaid Work shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

(Signed) *A. B.*
C. D.

SCHEDULE No. 10.

Form of Application for erecting, enlarging, or repairing any Building whatsoever.

County of } We of and
} of do certify, That we have lately viewed and examined and that it will be useful to [*here set*

set out the Work] at in this County; and we propose that the Expence of the aforesaid Work shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

(Signed) *A. B.*
C. D.

SCHEDULE No. 11.

Form of Application for Payment by a Contractor for a public Work.

County of } WHEREAS the Sum of was, by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*], presented at Term in the Year for [*here set out the Work contracted for*], in the Barony of in this County: And whereas I contracted for the Work aforesaid: Now this is to certify, That I have faithfully and honestly executed the said Work [*or set forth the Portion of the Work*], in conformity to the Presentment for the same, and to the Terms of the Specification, and that every Part of the said Work [*or the Proportion of said Work*] was finished on the Day of ; and I hereby apply for the Payment of the said Sum of .

(Signed) *A. B.*, Contractor.

SCHEDULE No. 12.

Form of Application for Payment by a Contractor for Works of Maintenance.

County of } WHEREAS at the Term in the Year by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*], Perches of the Road from to between and in the Barony of in this County, were presented to be kept in repair for Years, by Contract, at the yearly Sum of : And whereas I contracted for the same: Now this is to certify, That the said Perches and every Part thereof have been kept in good and sufficient Repair and Condition since the Commencement of my Contract, in conformity with the Presentment and Specification; and that the said Perches, and every Part thereof, are now in good and complete Repair and Condition, and that the said Perches are free from Nuisances; and I hereby apply for Payment of the Sum of for keeping the said Perches in repair for Months.

(Signed) *A. B.*
C. D.

SCHE-

SCHEDULE No. 13.

Form of Recognizance for Execution of Contract.

Be it remembered, That on the Day of in the Year *A. B.* of in the County of *C. D.* of in the County of and *E. F.* of in the County of came before me [One of the Justices, *or* Chairman, *as the Case may be,*] at a Presenting Sessions held at in the County of and acknowledged themselves to be held and firmly bound to our Sovereign Lady the Queen, Her Heirs and Successors, in the Sum of Pounds, to which Payment they bind themselves, their Heirs, Executors, and Administrators, and their Estates, jointly and severally: Whereas the above-bounden *A. B.* has become Contractor for the Execution of a certain public Work, that is to say [*mention it*], and the said *C. D.* and *E. F.* have become his Sureties for the due Execution of such Work: Now the Condition of the foregoing Recognizance is, that if the said *A. B.* shall within the Time mentioned in such Contract well and truly execute such Work in the Manner required and agreed on by such Contract, then the foregoing Recognizance to be void, otherwise to remain in full Force and Effect.

SCHEDULE No. 14.

General Form of Presentment for County Works.

County of Dublin, to wit. } We present, to be raised off the County at large [*or* off the Barony of *or* the Baronies of and *as the Case may be*], a Sum not exceeding Pounds, to be expended in [*here insert the Object of the Presentment, and the Nature of the Work, as particularly as shall seem necessary*], according to the Plan, Specification, and Estimate laid before us and the Court, and approved of.

SCHEDULE No. 15.

Salaries to be paid to the County Officers in the County of Dublin.

County of Dublin.	£	s.	d.
Clerk of the Peace	450	0	0
Clerk of the Crown	150	0	0
Secretary, not exceeding	450	0	0
Sheriffs	150	0	0
Gaoler of Kilmainham	250	0	0
Crier at Kilmainham	50	0	0
Crier at the Queen's Bench	8	8	0
Crier in the Commission Court	8	8	0
Court Keeper in Queen's Bench	8	8	0
Court Keeper in Green Street	8	8	0
District Surveyor	—		

SCHE-

SCHEDULE No. 16.

I DO declare, That I have not, directly or indirectly, given, paid, or secured, or promised to pay, give, or secure, nor has any Person on my Behalf, to my Knowledge or Belief, given or promised to give, any Sum of Money or other Consideration whatsoever, in order to procure myself to be appointed to the Office of Secretary of the Grand Jury, *or* [*as the Case may be*] of the County of Dublin, and that I will not hereafter pay, secure, or give to any Person or Persons any Money, or any Security for Money, in consideration of or in consequence of my having been appointed to such Office; and I do declare, that my Appointment to such Office is totally unconnected with any Arrangement between me and my Predecessor in such Office, nor has any such Arrangement been made by any Person or Persons on my Behalf, to my Knowledge or Belief.

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