ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. lxxvi.

An Act to enable the Grand Jury of the County of *Mayo* to present and recover Arrears of Grand Jury Cess upon said County, and upon certain Baronies thereof, in order to the Payment of Sums due to Contractors and others.

[22d *June* 1863.]

WHEREAS an Act was passed in the Session of Parliament holden in the Seventeenth and Eighteenth Years of Her present Majesty, "To provide for the Repayment of Monies "advanced from the Exchequer to the County of *Mayo* for public "Purposes," and it is in the said Act stated, that, "under the Provisions "of certain Acts of Parliament, divers Sums of Money had been from "Time to Time advanced by the Commissioners of the Treasury for the "Erection and Maintenance of Public Works in the County of *Mayo*, "and for other public Purposes in the said County, or some Barony or "Baronies thereof, and there was then due to the said Commissioners "of the Treasury for Arrears on foot of such Advances the Sum of Nine "thousand eight hundred and ninety-three Pounds One Shilling, and, "owing to the general Distress of the said County, and other Causes, it "had become difficult to collect the said Arrears out of the Lands then "charged therewith, and, in consequence of the Death or Absence from

17 & 18 Vict. c. 110. (*Pub.*)

" the Country of several of the Grand Jury Cess Collectors, it had " become impossible to procure from them Affidavits that the said Sums " were so in arrear, and the same could not be levied from the Persons " or out of the Lands originally chargeable with the same, and it was " doubtful whether (without the Production to them of such Affidavits) " it was competent to the said Grand Jury of the said County to " re-present the said Arrears, and it was expedient to provide for the " Repayment by Instalments to the said Commissioners of the Treasury " of the said Sum, and to enable the Grand Jury of the said County to " present the same:" And whereas said Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling was Part of an Arrear of Grand Jury Cess which, at the Time of the passing of the said Act, was in arrear out of said County, and out of certain Baronies and Half Baronies in said County, and which Arrear, for the Reasons aforesaid, the Grand Jury of the said County were unable to levy or re-present: And whereas the said Sum of Nine thousand eight hundred and ninety-three Pounds One Shilling has been presented, and is now in course of Payment by Instalments, pursuant to the said Act: And whereas a Sum exceeding the Sum of Seven thousand one hundred and sixty-four Pounds Nineteen Shillings and Twopence, Part of said Arrear, is still in arrear and outstanding: And whereas, for the Reasons herein-before and in said Act stated, and from the Failure of legal Proceedings against several of the Grand Jury Cess Collectors, and other Causes, it has become impossible to procure Affidavits as aforesaid, that the said Sum is in arrear as aforesaid, and without the Production of such Affidavits it is not competent to the said Grand Jury of the said County to present the same: And whereas by reason of the Premises the Sum of Seven thousand one hundred and sixty-four Pounds Nineteen Shillings and Twopence, payable out of Grand Jury Cess, is in arrear and unpaid to divers Parties, and the Particulars thereof are specified in the First Schedule to this Act annexed: And whereas there is in the Bank of *Ireland*, to the Credit of the County Treasurer, a Sum of One thousand and ninety-three Pounds Twelve Shillings and Fourpence, being the Amount of Payments heretofore made on foot of Grand Jury Cess, and which, when applied in Reduction of that Debt of Seven thousand one hundred and sixty-four Pounds Nineteen Shillings and Twopence, will reduce it to Six thousand and seventy-one Pounds Six Shillings and Tenpence: And whereas the said Grand Jury of the said County are desirous to re-present the said Sum of Six thousand and seventy-one Pounds Six Shillings and Tenpence, and to have the same levied for the Purpose of liquidating the Debts due as aforesaid; and they are desirous and it is expedient that the same be presented, levied, and raised partly from Baronies and Half Baronies and partly from the County at large, as appears by this Act and the Second Schedule to this Act annexed, and applied accordingly, and that all legal Objections to the presenting or levying or applying of the same be obviated; but the same cannot be effected

effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of same, as follows; (that is to say,)

Short Titles of recited Act and this Act.

1. The recited Act and this Act may for all Purposes be cited as follows; the recited Act as "County *Mayo* Grand Jury Cess Act, 1854," and this Act as "County *Mayo* Grand Jury Cess Act, 1863."

Grand Jury of Mayo may present.

2. Notwithstanding anything to the contrary in any Act contained, and without the Production to them of such Affidavits as by Section One hundred and forty-five of the Act of the Session of the Sixth and Seventh Years of *William* the Fourth, Chapter One hundred and Sixteen, are required, it shall and may be lawful for the Grand Jury of the County of *Mayo*, without previous Application at Presentment Sessions, at the General Assizes of the County next after the passing of this Act, to present the said Sum of Six thousand and seventy-one Pounds Six Shillings and Tenpence as follows; (that is to say,) the Sum of Two thousand seven hundred and eighty-five Pounds Thirteen Shillings and Fivepence, Part thereof, to be levied off the County at large, and the Sum of Three thousand two hundred and eighty-five Pounds Thirteen Shillings and Fivepence, Residue thereof, to be levied off the several Baronies and Half Baronies of the said County named in the Second Schedule to this Act annexed, and in the Proportions specified in the said Schedule, and each Sum to be so levied by Ten equal half-yearly Instalments.

Directions when and how Instalments are to be levied.

3. The said Instalments shall be so levied off the said County at large and off the Baronies and Half Baronies liable thereto in the Second Schedule hereunto named half-yearly after each successive Assizes until the whole of the Instalments shall be levied, and the First Instalment shall be levied immediately after the Assizes of the County held next after the passing of this Act; and the Treasurer of the County for the Time being shall and he is hereby required to applot and insert in his Warrants for levying the Sums presented at the next Assizes the Amount of such First Instalment, and in like Manner, without further Presentment or Authority in that Behalf, to applot and insert from Time to Time in his Warrant or Warrants for levying the Sums presented at each and every succeeding Assizes the Amount of the said Instalments respectively as the same from Time to Time shall become leviable, until the whole Sum of Six thousand and seventy-one Pounds Six Shillings and Tenpence shall be so raised and levied.

If Grand Jury neglect or refuse, the Court to have Power

4. In case the Grand Jury of the said County at the Assizes next after the passing of this Act neglect or refuse duly to present the said Sum of Six thousand and seventy-one Pounds Six Shillings and Tenpence

to order the Sum to be raised.

pence as by this Act provided, the Treasurer of the said County shall and he is hereby required to apply to the Judge of Assize presiding in the Crown Court to present the said Sum, and the Court shall have Power and is hereby required before the finding of any of the other Presentments to make an Order directing the said Sum of Six thousand and seventy-one Pounds Six Shillings and Tenpence to be levied as if the same had been so presented; and the Order shall specify the Instalments by which the said Sum shall be levied, and shall have the Force and Effect of a Presentment, and the said Sum shall accordingly be from Time to Time inserted by Instalments in the Warrants of the Treasurer, applotted, levied, and applied in manner herein-after mentioned, as if the same had been duly presented by the Grand Jury under this Act.

Presentments, &c. not to be objected to for Defect, &c.

5. When the Grand Jury of the said County or the Judge of Assize (respectively purporting to proceed therein in pursuance of this Act) shall make any Presentment or Order as aforesaid for the levying of the said Sums off the said County at large, and off the Baronies and Half Baronies of said County, in the Proportions and Amounts in the Second Schedule to this Act annexed, the several Sums respectively so presented or ordered to be levied may and shall be levied accordingly, and may be paid in manner herein-after mentioned; and no Traverse or Objection shall be allowed to any such Presentment or Order as aforesaid, or to any Warrant or Warrants for levying the Sums so presented or ordered, or to the Payment of the Amounts when levied, or any Action be maintainable against any High Constable or Collector for recovering or collecting the same, by reason of any Informality, Irregularity, Omission, or Defect whatsoever in any such Presentment, Order, Warrant or Warrants, or by reason of any Matter or Thing which, whether before or after the passing of this Act, happened before the Time of the issuing by the Treasurer of said County of his Warrants for levying the same, anything in any Act or Acts contained to the contrary in anywise notwithstanding; nor shall any such Presentment or Order made as aforesaid be removed or removable by Certiorari into any of Her Majesty's Courts of Record.

Application of Money.

6. The several Instalments of said Sum of Six thousand and seventy-one Pounds Six Shillings and Tenpence shall, as soon as collected, be lodged in the Bank of *Ireland* to the Credit of the Treasurer of the County in the usual Way, and said Monies shall be applied, in such Manner and at such Times as the Grand Jury shall order and direct, in Payment of the several Sums due as specified in the First Schedule hereunto annexed.

Costs of Act to be paid by the County at large.

7. The Grand Jury of the County may and shall, without previous Application to Presentment Sessions, at any Assizes for said County after

after the passing of this Act, present, to be levied off the County at large, the Amount of the Costs, Charges, and Expenses of and incident to the preparing for, soliciting, obtaining, and passing of this Act.

8. Nothing in this Act contained shall limit or affect in any Manner whatsoever the recited Act of the Session of the Seventeenth and Eighteenth Years of Her present Majesty. Not to affect 17 & 18 Vict. c. 110.

SCHEDULES to which the foregoing Act refers.

The FIRST SCHEDULE.

SUMS due to the under-mentioned Parties, and payable out of Grand Jury Cess.

To whom due.	For what due.	Amount due.
		£ s. d.
Divers Creditors - -	Debts incurred by the Grand Jury, and duly certified by the Judges of Assize.	4,357 2 1
Treasurers of Counties Leitrim and Sligo.	On account of Lunatic Asylums -	444 12 4
BARONIES.		
Costello - -	Monies raised by Grand Jury Cess, for Purposes of these Baronies, but applied by Order of the Grand Jury for paying Debts due from other Baronies -	1,266 2 6
Gallen - -		678 0 4
Murrisk - - -		222 10 5
Clanmorris - -		118 10 10
Tyrawly - -		78 0 8
	Total - -	£7,164 19 2
	Deduct in Bank of Ireland to the Credit of the Treasurer of the County, to be applied by the Grand Jury in reduction of those Debts - - -	1,093 12 4
	Leaving due -	£6,071 6 10

The SECOND SCHEDULE.

SUMS to be presented, raised, and levied under the foregoing Act, on the under-mentioned Baronies and Half Baronies and the County at large, for the Purposes of this Act.

Names of Baronies.	Amount to be presented, raised, and levied off each.		
	£	s.	d.
Burrishoole North - - - - - -	157	19	11
Burrishoole South - - - - - -	669	15	9
Carra - - - - - - -	302	8	6
Erris Half Barony - - - - - -	467	4	1
Kilmaine - - - - - - -	1,688	5	2
From the County at large - - - - -	2,785	13	5
Total - - -	£6,071	6	10

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1863.