ANNO NONO

VICTORIÆ REGINÆ.

C A P. II.

An Act to authorize Grand Juries in *Ireland*, at the Spring Assizes of the present Year, to appoint Extraordinary Presentment Sessions; to empower such Sessions to make Presentment for County Works, and to provide Funds for the Execution of such Works; and also to provide for the more prompt Payment of Contractors for Works under Grand Jury Presentments in *Ireland*. [5th *March* 1846.]

WHEREAS by reason of an extensive Failure of the Potato Crop of the last Season in *Ireland* it is expedient to facilitate and encourage the Employment of the Poor in Public Works during the approaching Summer: 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 it shall be lawful for the several Grand Juries assembled for the Despatch of fiscal Business at the Spring Assizes of this Year in every County, County of a City, or County of a

Grand Juries in Ireland may, at the Spring Assizes of this Year,

appoint Places and Times for holding Extraordinary Presentment Sessions for the Purposes of this Act.

Town in *Ireland*, the County of the City of *Dublin* excepted, if they shall respectively think fit, to appoint by Presentment certain Places within their respective Counties (*videlicet*, One in and for each Barony or Half Barony, to be called the Extraordinary Baronial Presentment Sessions, and One for each County of a City or County of a Town, or in and for such Barony or Baronies, Half Barony or Half Baronies only, as they shall think fit,) where, and certain Times, the first thereof not being later than Thirty Days from the Day of the opening of the Commission at such Spring Assizes, when, Extraordinary Presentment Sessions shall be holden for the Purposes of this Act; and the said several Grand Juries, save in a County of a City or County of a Town, shall by such Presentment also appoint an Extraordinary Presentment Sessions for the County to be holden either in the County Court House or such other Court House or Place as such Grand Juries may deem most convenient, which Sessions shall be called the Extraordinary County Presentment Sessions, and shall be appointed to be held as soon as conveniently may be after the last of such Extraordinary Baronial Presentment Sessions as aforesaid; and every such Presentment shall appoint the Hours of the Day between which such Sessions shall be respectively holden, and public Notice thereof shall be forthwith given and posted at the usual Places for posting public Notices; and it shall be lawful for every such Grand Jury at such Spring Assizes to direct by Presentment what Number of Copies of the Schedules of Applications to be made at each such Extraordinary Presentment Sessions shall be printed and distributed by the Secretary of the Grand Jury.

All Justices required to attend and, with the Cess-payers associated with them, to hold such Sessions for the Purposes of this Act at the Times and Places appointed by the Grand Jury.

II. And be it enacted, That it shall and may be lawful for every Justice of the Peace in and for any County, County of a City, County of a Town, or City and County in *Ireland*, not being a Stipendiary Magistrate, to attend, and all such Justices are hereby required to assemble, and with the Cess-payers associated with them respectively, as herein-after appointed, to hold such Extraordinary Baronial and County Presentment Sessions respectively for the Purposes of this Act in such Place or Places, and at such Time or Times, within any and every such County, County of a City, or County of a Town, as the Grand Jury of the same at such Spring Assizes shall have appointed for the holding of such Extraordinary Sessions.

How Sessions are to be constituted.

III. And be it enacted, That the Justices or Justice present at every such Extraordinary Baronial Presentment Sessions, together with the Number of Cess-payers which shall have been appointed by the Grand Jury at such Spring Assizes to be associated with the Justices at the Ordinary Presentment Sessions to be holden next after such Spring Assizes for the Purposes of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty 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, for the Barony or Half Barony, County of a City or County of a Town, in which such Extraordinary Baronial Presentment Sessions shall be holden, shall constitute such last-mentioned Ses-

sions; and that all and every the Provisions contained in the said recited Act of the Sixth and Seventh Years of the Reign of the said King *William* the Fourth relative to the Selection of a Chairman and of the Cess-payers to be associated with such Justices or Justice at Presentment Sessions, and to their respective Powers, Duties, and Authorities, shall, as far as the same are applicable, extend to all Extraordinary Baronial Presentment Sessions to be held under this Act, and to the Proceedings to be had thereat; and that all and every the Provisions contained in the said recited Act relating to the Declarations to be made by the Justices and Cess-payers respectively who shall act at any Presentment Sessions, and relating to Notices or to Applications for Works, whether by the County Surveyor or other Person or Persons, and to the Lodgment of such Applications, and to the Manner in which every such Application shall be made, dealt with, and decided upon, and to the Duties of the Secretary of the Grand Jury with respect to the same, and also relating to Specifications of proposed Works, and to Applotments by the County Treasurer of the several Sums required by such Applications, and also relating to the Powers, Duties, and Authorities of the Secretaries of Grand Juries, County Surveyors, Clerks of the Crown, and Clerks of the Peace, and all other Officers respectively, shall, as amended by an Act passed in the Seventh Year of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act to amend an Act passed in the Seventh Year of the Reign of His present Majesty, for consolidating and amending the Laws relating to the Presentment of public Money by Grand Juries in* Ireland, as far as the same are applicable or may be necessary for carrying out the Provisions of this Act, and not inconsistent with such Provisions, extend to all Proceedings respectively to be had under the Provisions of this Act in as full and ample a Manner to all Intents and Purposes as if the same were herein repeated and enacted, unless where other Provisions are hereby substituted; and further that the said Justices or Justice and Cess-payers shall sit *de die in diem* until all the Business which may come before them shall be concluded; provided that in any such Declaration to be made by any such Justice or Cess-payer the Title of this Act shall be inserted together with the Title of the said Act of the Sixth and Seventh Years of King *William* the Fourth.

Provisions of 6 & 7 W. 4. c. 116. relative to Special Presentment Sessions to extend to Sessions held under this Act.

7 W. 4. & 1 Vict. c. 2.

IV. And be it enacted, That the Justices and Cess-payers associated at each Extraordinary Baronial Presentment Sessions shall select One of the said Cess-payers for every Barony for which such Sessions are appointed to be associated with the Justices of the County as a Member of the Extraordinary County Presentment Sessions; and the Secretary of the Grand Jury shall make out a List of the Persons so chosen at each such Baronial Sessions, and shall forthwith notify the same and the Day appointed for such County Sessions to them, and shall read out the same List previous to the Appointment of the Chairman for the Extraordinary County Presentment Sessions; and the Persons so chosen shall, together with the Justices as aforesaid, form the Extraordinary County Presentment Sessions; and every such Justice or Cess-payer shall make a like

One Cess-payer shall be selected at each Extraordinary Baronial Sessions, and shall, with the Justices, constitute the Extraordinary County Presentment Sessions.

like Declaration respectively as in the Case of Extraordinary Baronial Presentment Sessions is provided.

Applications for Presentments on any Barony to be made at the Baronial Sessions.

Matters for Application.

V. And be it enacted, That all Applications for Works, the Expence whereof it may be proposed as aforesaid to levy off any Barony, shall be made at such Baronial Presentment Sessions as shall be holden for such Barony, and that such Applications shall be for any one or other of the following Matters, and no others; (that is to say,) the lowering a Hill or filling a Hollow, or both, on any public Road, and the making a Road thereon with Stones and Gravel, the building, rebuilding, repairing, enlarging any Bridge, the Cost of which shall not exceed Fifty Pounds, or any Pipe, Arch, or Gullet built of Stones or Brick 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 Bank 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, the widening of any public Road to a Breadth not more than Forty Feet, the gravelling, macadamizing, paving, fencing, repairing, or otherwise improving any Part of any public Road, filling up Grips or Trenches on any public Road, making sufficient Fences instead thereof, the filling Dikes or Holes on the Sides of any public Road, or for making, widening, or deepening Drains on the Side of any such Road, and carrying off the Water therefrom, the making or repairing of the Footpaths along the Side of any County Road, and the making or repairing of any Sewer or Channel along the Side of any Part of a public Road lying within any Town or Village.

Applications shall be considered and decided on at such Baronial Sessions, who shall then adjourn to some Day after the Day of the Extraordinary County Sessions.

If proposed Work approved, the County Surveyor to prepare a Form of Tender for the Execution thereof, with Specifications, &c.,

VI. And be it enacted, That at each Extraordinary Baronial 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 of the said recited Acts and 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 County 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

performing and executing the same, and the Term within which such Work ought to be completed, 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 Fourteen Days after the Day fixed for the Extraordinary County Presentment Sessions.

and deliver the same to the Secretary of the Grand Jury.

VII. And be it enacted, That so soon as may be possible after the Extraordinary Baronial Presentment Sessions shall have been holden at all the Places and Times appointed therefor in any such County the Secretary of the Grand Jury shall prepare and make Schedules of the Contents of all Applications approved of wholly or in part, and which may have been delivered to him for such Purpose by the Chairman at each such Sessions; *videlicet*, One Schedule for each Barony of all such Applications for Works proposed to be levied upon each such Barony, arranging all such Applications in alphabetical Order, and noting on the Face of each Schedule the Particulars of the Decision of the Extraordinary Baronial 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 such Grand Jury Presentment as herein provided; and the said Secretary shall on the Day when the Extraordinary County Presentment Sessions shall be assembled as herein 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 County Surveyor, annexed thereto, to the Chairman of such Sessions; 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 Sessions shall be first assembled.

Secretary of the Grand Jury to have Schedules of approved Applications printed and distributed, and lay the same before the Extraordinary County Sessions;

and also keep a Copy in his Office for Inspection.

VIII. And be it enacted, That the Justices and Cess-payers at such Extraordinary County Presentment Sessions shall at the Time appointed proceed to transact all Business relating to Public Works and Contracts within the County, and to consider and decide upon all Applications which shall be made for Works, as herein-before provided, in the Order in which the same shall be entered in the Schedules to be prepared as aforesaid, where they may deem it necessary, lessening the Amount or altering the Time for executing each Work, and examining all Maps, Plans, Estimates, and Specifications relating to each Application; and the said County Sessions shall be attended by the Secretary of the Grand Jury, and by the County Surveyor or Surveyors, and shall hear and receive and direct to be read aloud in open Court the several Reports and Certificates of such Surveyor or

Such Extraordinary County Sessions shall consider Applications, and make or refuse Presentment thereupon, fixing Amount and Time for Execution of Works.

Surveyors, 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 authorized to be executed under this Act, or any Contract for or in respect of any of the Matters aforesaid; and such Extraordinary County Presentment Sessions are hereby authorized and empowered, if they shall think fit, to make Presentments for all or any of the Works, and the Expence thereof, hereby authorized to be applied for, and for which an Application shall have been made and approved, either wholly or in part, at the Extraordinary Baronial Presentment Sessions as hereinbefore provided, and specifying in all such Presentments the maximum Amount which shall be raised for the Execution of any such Work, and the Barony off which such Amount is to be raised; and the said County Presentment Sessions shall sit *de die in diem* until all the Business which may come before them of the Nature hereby described be despatched; and every such Presentment so made by such County Sessions shall be as valid and effectual for the Purposes of this Act as if the same had been duly presented by the Grand Jury, and fiated by the Court at any Assizes.

Secretary of the Grand Jury to advertise his readiness to receive Tenders and Proposals for the Execution of such Works, and that Forms of such Tenders may be had at his Office.

IX. And be it enacted, That the Secretary of the Grand Jury shall immediately after the Conclusion of such County Presentment Sessions, upon being furnished by the County 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 the usual Manner as such County Sessions 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 for the Reception of the same, and the Time to which the Extraordinary Baronial Presentment Sessions respectively 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 such County Presentment Sessions 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 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 Sum

Tenders to be delivered in sealed, or in Envelopes.

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 County Surveyor shall be open to public Inspection in the Office of such Secretary without Fee or Reward.

At the adjourned Extraordinary Baronial Sessions the Tenders shall be opened and dealt with.

X. And be it enacted, That at the Meeting of each such adjourned Extraordinary Baronial 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 Baronial 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 Manner and subject to the Provisions in the said recited Act of the Sixth and Seventh Years of King *William* the Fourth directed and contained, 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 such 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 such 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 County Surveyor, with Power to expend a Sum not exceeding the Maximum fixed as aforesaid; and such County Surveyor shall cause such Work to be executed, and shall account for the Execution thereof to the Grand Jury at the following Assizes.

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

Form of Security.

XI. 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 Baronial Presentment Sessions any Justices

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 of the Grand Jury shall keep a Book, with Particulars of Contracts; and shall prepare Schedules, &c.

XII. 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 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; and such Secretary of the Grand Jury shall, as soon as may be afterwards, prepare Schedules of all Applications so contracted for, approved of, and presented for as aforesaid, and cause the same to be printed and distributed in the same Manner as he is by the said recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth required to do with respect to Applications approved of at Presentment Sessions, and shall immediately thereafter deliver all such Applications so presented for to the Clerk of the Crown for the County, County of the City, or County of the Town to which they shall relate, who shall preserve the same, and within Seven Days after such Delivery deliver to the Treasurer of such County, County of a City, or County of a Town, without Fee or Reward, a Copy thereof, attested upon Oath, and signed by himself; and, such Treasurer shall return the same to the Foreman of the Grand Jury at the Time when they shall be first impannelled at the ensuing Summer Assizes; and all and every the Powers, Authorities, or Provisions given or contained in the said recited Acts in relation to Works or the Execution of the same, and the raising and levying the Expence of the same, shall, as far as the same are applicable, and not inconsistent with this Act, extend and be applied in relation to the Works to be executed under this Act, or to the raising or levying Money for the Payment of the Expence of the same; and the several Forms in the Schedule to the said first-recited Act contained shall be used and applied, or altered and made applicable, as Occasion may require, in or in relation to the several Proceedings under this Act.

Powers of former Acts applied.

Forms.

Treasury may make Advances by way of Loan in respect of Works approved of.

XIII. And be it enacted, That it shall and may be lawful for the Commissioners of Her Majesty's Treasury, on Application to them in that Behalf, to make Advances, not exceeding in the whole the Sum of One hundred thousand Pounds, by way of Loan, at such Rate of Interest, not exceeding the Rate of Five Pounds *per Centum per Annum*, as they shall think fit, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, arising in *Ireland*, to defray the Expence of any Public Work

or

or Works, the Execution of which shall have been approved of and presented under the Provisions herein in that Behalf contained, or of any Work presented for by a Grand Jury under the Provisions of any Acts relating to the Presentment of public Money by Grand Juries in *Ireland*, save any Gaol, Court House, Hospital, Infirmary, or Bridge, the Cost of which Bridge shall exceed Fifty Pounds; and that when and so soon as any Application for such Works as aforesaid shall have been duly certified to the said Commissioners of the Treasury by the acting Clerk of the Crown to have been duly approved of, and presented according to the Provisions of any of the said last-mentioned Acts or of this Act, it shall and may be lawful for the said Commissioners from Time to Time to make, upon the Credit of such Application so approved of and presented as aforesaid, any Advance they may think fit; and that any such Money advanced under the Authority of this Act shall be delivered or paid by such Officer or Person and in such Manner as the said Commissioners shall think fit, and by such Instalments as may be necessary, to the Treasurer of the County, County of a City, or County of a Town in which the Works in respect of which such Advances shall be made shall have been or are intended to be executed, and shall be accounted for by him in like Manner as any other Monies by him received for the Use of such County, County of a City, or County of a Town, and all Securities given or to be given by him or on his Behalf shall extend to such Money; and every such Treasurer shall also from Time to Time, and at all Times when thereunto required by the said Commissioners of Her Majesty's Treasury, furnish to the said Commissioners, as they may direct, an Account of all his Disbursements and Receipts in respect of such Advances.

Monies advanced to be paid to the Treasurer of the County, &c., who shall account for the same.

XIV. And be it enacted, That the Treasurer of each County, County of a City, or County of a Town shall deliver to the Chairman of such Extraordinary County Presentment Sessions, or Extraordinary Presentment Sessions, on the assembling thereof, a List, signed by himself, of all Presentments made at the then last Assizes for such County, County of a City, or County of a Town, and of all Queries remaining undischarged in respect of Grand Jury Presentments for such County, County of a City, or County of a Town, and the Amount of the County Funds then in his Hands, or invested in Exchequer Bills for or on behalf of the said County; and the Secretary of each Grand Jury shall deliver to such Chairman a List, signed by himself, of all Contracts theretofore entered into by such Grand Jury, on Foot of which any Sums shall appear to be due, setting out the Names of the several Contractors, the Particulars of each Contract, and in the Case of Roads the Places whence and to which each Road contracted for leads, and where each Road under Charge of a Contractor commences and ends, or the Names of the Occupiers of the adjoining Lands, and the Number of Perches of Road included in such Contract, and the Rate *per* Perch and the whole annual Sum which each Contractor is to be paid, and the Period for which each Contract is made.

Treasurer of the County to furnish a List of all Presentments, and of all undischarged Queries.

Secretary of the Grand Jury to to furnish a List of all Contracts, and the Particulars thereof.

XV. And be it enacted, That in Cases where the Cost of executing any Public Work shall exceed Twenty Pounds it shall and may be lawful

Advances may be made to Con-

tractors in certain Cases, not exceeding Three Fourths of the Cost of the Work.

lawful for the Justices, or Justice and Cess-payers, at any such Extraordinary County Presentment Sessions, or, in the Case of a County of a City or County of a Town, at the Meeting of the Extraordinary Presentment Sessions, to authorize the Treasurer of the County, County of the City, or County of a Town, out of any Funds applicable to the Purpose, to advance from Time to Time during the Execution of the Work to the County Surveyor to whom any Work shall be given in charge as aforesaid, or to the Contractor for any such County Work applied for and presented under this Act, or presented under any other Act for the Regulation of Grand Jury Presentments in *Ireland*, upon his Application, any Sum or Sums not exceeding in the whole Three Fourths of the Cost of such Work; provided that no such Advances shall be made by such Treasurer unless such Application shall be accompanied by a Certificate attached thereto, and signed by the County Surveyor, that more than the Sum applied for by such Contractor, in addition to any previous Advances made to him for such Work, has been fairly and honestly expended upon it conformably to the Contract.

Contractors to procure Certificate from County Surveyor of the Completion of the Work.

XVI. And be it enacted, That any Person who may have contracted for the Execution of any Work under this Act, or under the said recited Act of the Sixth and Seventh Years of King *William* the Fourth, or any Act amending the same, save in the Case of any Gaol, Court House, Hospital, Infirmary, or any Bridge, the Cost of which Bridge shall exceed Fifty Pounds, may, on the Completion of the Work for which he may have contracted, if completed within the present Year, give Notice thereof by Post, addressed to the County Surveyor at his Office, who shall, either by himself or his Assistants, within Fifteen Days from the Receipt of such Notice, examine the Work so represented to be completed, and in case he shall be fully satisfied of the due Execution of such Work, but not otherwise, shall grant his Certificate of Approval thereof to such Contractor, which Certificate shall set forth the Amount to be paid, and the Description or Number of the Contract on account of which Payment is to be made.

On Production of such Certificate to the County Treasurer he shall give a Draft for the Amount thereof.

1 & 2 Vict. c. 53.

XVII. And be it enacted, That the Treasurer of such County shall thereupon, upon the Production to him of such Certificate, give to the Person entitled to such Payment a Draft for the Amount thereof, which Draft shall contain a Specification of the Purposes for which the same shall have been drawn, and of the Person to whom it is payable, and when so signed it shall be the Authority for the Bankers in whose Bank the County Funds may be deposited to pay the Amount thereof, any thing in an Act of the First and Second Years of Her present Majesty's Reign, intituled *An Act to amend an Act of the last Session of Parliament, for providing more effectual Means to make Treasurers of Counties and Counties of Cities in* Ireland *account for public Monies, and to secure the same*, to the contrary in anywise notwithstanding; and such Draft shall be as valid to all Intents and Purposes as any Draft for the Payment of any Money given under the said last-mentioned Act; provided that after the Expiration of this Year the Contractors for any such Works shall make Application for and receive Payment, subject to the Provisions

and Regulations of the Acts relating to the Presentment of public Monies by Grand Juries in *Ireland*.

Presentment for Printing, &c.

XVIII. And be it enacted, That the Treasurer of every County, County of a City, or County of a Town in which this Act shall come into operation shall include in his Account, to be furnished to the respective Grand Jury at the next Summer Assizes, the Cost of all Copying, Printing, and other Proceedings of a like Nature required under the Provisions of this Act, who shall, at such next Summer Assizes, and they are hereby required to present, to be levied off the County at large, such Sum as shall be necessary to defray the same, and shall also present, to be levied off the County at large, to be paid to the Secretary of the Grand Jury, and to the County Surveyor or his Assistants, such Sums of Money as shall be actually incurred by them respectively for their Expences out of Pocket in or in respect of their respective Attendance at any such Extraordinary Presentment Sessions as herein provided.

Advances from Treasury to be repaid by compulsory Presentment.

XIX. And be it enacted, That the Monies so from Time to Time to be advanced, pursuant to the Provisions of this Act, by the Commissioners of Her Majesty's Treasury, for the Execution of any such Public Works in any County, County of a City, or County of a Town, or City and County, shall be repaid by Grand Jury Presentments at such Time or Times and in such Manner and with such Interest (not exceeding the Rate aforesaid) as the said Commissioners of the Treasury shall appoint and direct; and the said Commissioners shall from Time to Time cause to be certified to the Secretary of the Grand Jury of each such County, County of a City, and County of a Town the Money so to be repaid; and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town at the next Assizes or Presenting Term after he shall receive the same; and it shall be lawful for every such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate to be raised either off the County at large or off the respective Baronies or Half Baronies in respect whereof the Works for which any such Monies shall be so advanced by the said Commissioners shall have been presented by the Extraordinary County Presentment Sessions as herein-before directed, or off the County of the City or County of the Town, as the Case may be; and the Treasurer of such County, County of a City, or County of a Town shall pay the Sum so presented when and as by him received to such Bank or Person, and to such Account or in such Manner, as the said Commissioners of the Treasury shall direct: Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum or any Part thereof contained in any such Certificate, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum or such omitted Part thereof in his Warrant for raising the Monies presented at the same Assizes as if such Sum had been duly presented by such Grand Jury to be raised off the County at large, or County of a City or County of a Town, as the Case may be, and the same shall be raised and levied off such County, County of a City, or County of a Town

In case the Grand Jury fail to present.

a Town accordingly as if the same had been so presented, and the said Treasurer shall pay over the Amount when by him received as herein-before provided in the Case of such Money being presented; and all the Provisions of the said recited Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth with reference to the raising, Applotment, Collection, Levy, or Recovery of Grand Jury Cess shall, as far as the same are applicable, apply to all such Sums of Money so inserted in such Warrant: Provided also, that in all Cases in which any of such Monies shall have been advanced by the said Commissioners for or on account of any Works for which Presentment shall have been theretofore made by a Grand Jury, the Treasurer of the respective County, County of a City, or County of a Town shall from Time to Time pay to such Bank or Person as the said Commissioners shall direct all such Sums as shall from Time to Time be received by him from the Baronial or other Collectors by virtue of the Presentment on account of which such Money shall have been advanced, until the whole Sum so advanced shall be repaid.

Treasurer to pay into Bank all Advances received from Collectors.

XX. And be it enacted, That every Contractor for the Execution of any County Work shall pay his Labourers or Artificers in Money, and at Intervals of not more than Fourteen Days; and if any Contractor 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 Fourteen Days, all Wages that may be due to him, save and except the Wages 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 him in the Execution of such Works, so as the Sum demanded shall 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 on 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.

Contractors shall pay Labourers in Money and not in Goods, and at Intervals of not more than Fourteen Days.

XXI. And be it enacted, That it shall be lawful for each Grand Jury at such Spring Assizes to exercise the Powers given to them by this Act after and notwithstanding that Her Majesty's Commission at such Assizes shall have been opened, any thing in the said Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, or any Act or Acts notwithstanding.

Grand Jury at such Spring Assizes may exercise the Powers herein given, after the Commission has been opened.

XXII. And

If the Spring Assizes shall be concluded before the passing of this Act, or before due Notice of it, Grand Juries may be re-assembled.

XXII. And be it enacted, That in any and every Case in which it shall happen that the Spring Assizes in and for any such County, County of a City, or County of a Town shall have been concluded, or that the Grand Jury at such Assizes respectively shall have been discharged, before the passing of this Act, or before any such Grand Jury shall have received sufficient Notice of the passing of the same, it shall and may be lawful for the Sheriff of such County, County of a City, or County of a Town, and such Sheriff is hereby authorized and required, in case he shall receive a Direction by Warrant, to be issued, from Time to Time as may be necessary, under the Hand of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, so to do, to summon the several and respective Persons who shall have served as Grand Jurors upon the Grand Jury at such Spring Assizes of the present Year for such County, County of a City, or County of a Town to re-assemble and attend for the Purposes of this Act at the usual Place of holding Assizes upon a Day by such Sheriff to be fixed, not later than Ten Days from the Day on which such Sheriff shall have received such Warrant as aforesaid; and such Persons so summoned are hereby required to come and appear agreeably to the Exigency of such Summons, under the like Penalties and subject to the like Forfeiture of Issues as Persons heretofore summoned to appear and serve on Grand Juries at any Assizes in *Ireland;* and on the Day and at the Place appointed for such Attendance such Sheriff shall attend and proceed to call such Grand Jurors, and the Clerk of the Crown or his Deputy shall attend at such Time and Place, and take a List of all such Grand Jurors so attending; but in case Twelve such Grand Jurors should not be so in attendance it shall be lawful for such Sheriff to call and summon to be associated with such Grand Jurors attending such Number of other Persons whose Attendance can be procured, and whose Names shall have been on the Grand Jury Panel for such Spring Assizes, as will be sufficient with such first-named Grand Jurors attending to make up a Number not less than Twelve and not exceeding Twenty-three; and such Grand Jurors so attending, not being less than Twelve in Number, or, as the Case may be, such Grand Jurors so attending together with such other Persons associated with them, shall have all the Powers and Authorities hereby given to the respective Grand Juries at the Spring Assizes of this Year for appointing any such Extraordinary Presentment Sessions as herein provided; and it shall be lawful for them, if they shall respectively so think fit, Twelve of them at the least assenting, by a Presentment, to appoint such Extraordinary Presentment Sessions respectively, and the Times and Places for holding the same, and the several Matters relating to the same, as herein-before provided; and any such Extraordinary Presentment Sessions so appointed shall be as valid, and have all such Powers and Authorities, and be subject to such Provisions, as if the same had been appointed by the Grand Jury at such Spring Assizes under the Provisions of this Act herein-before contained; provided that the Time to be so appointed for holding the First Extraordinary Baronial Presentment Sessions in each County, County of a City, or County of a Town shall not be later than Thirty Days from the Days so fixed for the respective Grand Juries to re-assemble.

In Counties of Cities or Towns the First Extraordinary Presentment Sessions to have the Powers herein given to Extraordinary County Sessions.

XXIII. Provided always, and be it enacted, That in the Case of any County of a City or County of a Town the Extraordinary Presentment Sessions to be held for the same respectively under the Provisions of this Act shall, in addition to the other Powers and Authorities hereby given to any Extraordinary Baronial Presentment Sessions, have and exercise at their first Meeting all the Powers and Authorities hereby given to any Extraordinary County Presentment Sessions; and no such Extraordinary County Presentment Sessions shall be held for any such County of a City or County of a Town under this Act, save such respective Extraordinary Presentment Sessions for such County of a City or County of a Town in this Provision and before mentioned, and the Adjournment thereof respectively as herein-before directed; and in the Construction of this Act, unless the Context or the Nature of the Case shall exclude such Construction, the Expression "Extraordinary Baronial Presentment Sessions," or "Baronial Sessions," shall, in the Case of a County of a City or County of a Town, mean and include such Extraordinary Presentment Sessions for such County of a City or County of a Town respectively, or the Adjournment thereof, hereby provided; and the Word "Treasurer" shall, as to the County of *Dublin*, mean and include the Finance Committee; and the Words "Assizes" or "Spring Assizes" shall, as to the said County of *Dublin*, mean and include the "Presenting Term."

Interpretation of Act.

County Surveyors to assist in Works directed by the Lord Lieutenant.

XXIV. And whereas it may become necessary and expedient to provide further Employment for the labouring Poor of *Ireland* during the approaching Summer and Autumn, by the Execution of Works other than those presented for by the respective Grand Juries of the Counties wherein such further Works shall be required; and in order to assist in and facilitate the due Execution thereof it is desirable that the several County Surveyors and their Assistants, within their respective Counties, should superintend such Works, either wholly or in part, and subject to such Orders and Directions as may from Time to Time be issued to them by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or by the Commissioners of Public Works in *Ireland;* be it therefore enacted, That the several County Surveyors in *Ireland*, and their Assistants, do and shall at all Times, from and after the passing of this Act, and until the Thirty-first Day of *December* next, or until the respective Works in this Provision mentioned shall be completed, in addition to all their other Duties, obey, perform, and execute, either alone or conjointly with or subject to the Direction of any other Person or Persons to be appointed for that Purpose by the said Lord Lieutenant or other Chief Governor or Governors of *Ireland*, all such Orders and Directions as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or the Commissioners of Public Works, shall from Time to Time issue and transmit to them or any of them respecting the planning, laying out, superintending, or overseeing any such Work or Works within their respective Counties as shall be specified in and by such Orders or Directions, or the disbursing any such Sum or Sums of Money which shall be placed at his or their Disposal for that Purpose, whether such Works shall be of a public or private

Nature, and do and shall from Time to Time, and as often as he or they shall be so required, report to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the said Commissioners of Public Works, how and in what Manner he or they shall have executed such Orders and Directions, and disbursed such Sum or Sums of Money so to be issued and transmitted to him or them as aforesaid.

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

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