

ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

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CAP. LI.

An Act to amend the Laws relating to the Levy of Grand Jury Cess in the County of the City of *Dublin*. [27th *July* 1838.]

WHEREAS the System now used in the County of the City of *Dublin*, of apportioning the Sums to be raised by Grand Jury Presentment according to the Amount of Ministers Money charged upon each House therein, is partial and unequal: And whereas under an Act passed in the Fifth Year of the Reign of King *George* the Fourth, intituled *An Act to provide for valuing the Houses situate in and near the City of* Dublin, *and for the more equal Payment of the Local Taxes there*, and under another Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to make more effectual Provisions relating to the Police in the District of* Dublin *Metropolis*, Provision has been made for a just and equable Valuation of all Houses, Lands, and Tenements contained therein, and it is expedient that such Valuation, so far as it extends, should be the Basis of the Assessment and Applotment of all Sums to be raised by Grand Jury Presentment in the County of the City of *Dublin*: 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 Commencement of this Act all Sums to be raised by Grand Jury Presentment in the County of the City of *Dublin* and within the Police District of *Dublin* Metropolis shall be apportioned and applotted upon all Lands, Houses, and Tenements therein respectively, according and in proportion

5 G. 4. c. cxviii.

1 Vict. c. 25.

Grand Jury Presentments to be applotted according to Valuation under recited Acts.

proportion to the Value of each and every such House, Land, or Tenement respectively, as contained in the Valuation or Assessment so made under the said recited Acts, so far as such Valuation or Assessment shall extend or be applicable; and that such Apportionment and Applotment shall be liable to be varied and altered from Time to Time in manner herein-after mentioned, according as such Police Valuation or Assessment shall be altered or varied, upon Appeal or otherwise, as in the said recited Acts is provided.

Charge and Recovery of Cess.

II. And be it enacted, That such Grand Jury Cess shall be chargeable upon the like Tenements according to their Value respectively in such Police Assessment, and payable by the like Persons, and recoverable in the same Manner as the said Police Rate or Tax is chargeable, payable, and recoverable under and by virtue of the Provisions of the said recited Acts, and not otherwise.

Treasurer of the City of Dublin to obtain a Copy of such Valuation from the Justices under recited Act, and divide and prepare it into Parochial Lists, and lay the same before the Grand Jury.

III. And be it enacted, That the Treasurer of the County of the City of *Dublin* shall and he is hereby required, Fifteen Days at the least previous to the First Day of *Easter* Term next after the passing of this Act, to demand from the Justices appointed under the said recited Acts, passed respectively in the Sixth and Seventh Years of the Reign of His late Majesty and in the First Year of Her present Majesty, a Copy of such Valuation as aforesaid, which the said Justices are hereby empowered and required to give within Seven Days after such Demand; and such Treasurer shall forthwith divide and prepare such Valuation into parochial Lists or Valuations, according to the respective Parishes or Parts thereof in which the Houses, Lands, and Tenements contained therein are situate respectively, and shall lay such Valuation so prepared and divided before the Grand Jury of the said County of the City of *Dublin* upon the First Day of Meeting of such Grand Jury after the Commencement of this Act; and the said Treasurer shall and he is hereby required thenceforward, Fifteen Days at the least before each presenting Term, to call upon such Justices to furnish him with a Copy or Schedule of all such Alterations or Variations in the said Valuation as shall have been made under the Provisions of the said recited Acts from Time to Time, and which said Justices are hereby empowered and required in like Manner to furnish to such Treasurer, who shall amend such Valuation accordingly, and lay the same in such corrected and amended Form before such Grand Jury upon the First Day of each Presenting Term; and such Grand Jury shall thereupon assess the several Sums to be raised by Grand Jury Presentment upon the several Parishes or Portions thereof in the County of the City of *Dublin*, according and in proportion to their respective Valuation in such general Valuation or Assessment; and in the event of the said Treasurer neglecting so to demand and furnish to the Grand Jury such Copy of the said Valuation, or in the event of the said Justices refusing or neglecting to comply with such Demand, within the Period aforesaid, such Treasurer or Justices so defaulting shall for every such Default forfeit and pay a Sum of Fifty Pounds to any Person who shall sue for the same by Civil Bill.

Grand Jury to assess accordingly.

Penalty on Treasurer or Justices neglecting in the above Particulars.

Treasurer to furnish to

IV. And be it enacted, That, together with the Warrant specifying the Amount so assessed by the said Grand Jury upon each Parish or Part

of a Parish in the County of the City of *Dublin*, such Treasurer shall furnish to the Churchwardens, or other proper Person or Persons therein respectively, a correct and proper Copy of so much of the said Valuation as shall appertain thereto; and the Amount of the Assessment to be raised off such Parish or Part of a Parish shall be applotted and apportioned in conformity with and in proportion to the Value of each and every House, Land, or Tenement contained therein respectively as the same shall be inserted in such Valuation.

each Parish, &c. a Copy of so much of the Valuation as appertains thereto.

V. And be it enacted, That within Ten Days after every such Applotment shall have been completed such Churchwardens or other proper Person or Persons shall, together therewith, return the said Valuation to the said Treasurer, and such Valuation shall be preserved by him amongst the County Records in his Office; and the Lord Mayor of the said City shall, at the Instance of the said Treasurer, issue his Warrants, as now by Law required, for the Collection of the Sums so applotted, and the same shall be collected and levied accordingly.

Said Copy of Valuation to be returned after Applotment made.

VI. And be it enacted, That it shall and may be lawful for the said Grand Jury of the County of the City of *Dublin* to present a reasonable Sum to be paid to the Receiver of the Police Tax or Rate in the said City under the said recited Acts as and for the Expences of preparing such Copy of the said Valuation, and the said Alterations and Corrections therein from Time to Time.

Grand Jury to present for Expences of Copy of Valuation.

VII. And be it enacted, That, for all Purposes relating to Grand Jury Presentments, the County of the City of *Dublin* shall, from and after the Commencement of this Act, be deemed to include and to extend over the County of the City of *Dublin*, and such Parts of the County of *Dublin* as lie within the *Circular Road*: Provided always, that every such Part of the County of *Dublin* as aforesaid shall, from and after the Commencement of this Act, be freed and exempted from all Grand Jury Charge or Cess in respect of forming a Portion of the County of *Dublin*, save and except such Charges or Cesses as shall have been previously duly charged and assessed thereon by Grand Jury Presentment or otherwise, and which Charges or Cesses may be recovered by all the Ways and Means theretofore in force for that Purpose notwithstanding the passing of this Act: Provided always, that nothing herein contained shall be deemed, taken, or construed to make any College or Hospital chargeable with such Grand Jury Cess which is not now liable thereto.

Limits of the County of the City of Dublin defined.

VIII. And be it enacted, That such Parts of the County of *Dublin* as are contained within the *Circular Road*, and within which there is no Parish Church, and which did not immediately before the passing of this Act belong to any Parish within the County of the City of *Dublin*, shall for all the Purposes of this Act be deemed to form a Portion of such Parish in the said County of the City of *Dublin* as the Grand Jury thereof shall present and appoint; and such Grand Jury is hereby required, at the First Presenting Term after the passing of this Act, to present the same, and give due Notice thereof to such Parishes and Parts of the County of *Dublin*, by posting Copies of such Presentment in the most public and usual Places for posting public Notices.

Parts of County of Dublin within the Circular Road, not being Parishes, to be annexed to Parishes in the City of Dublin.

IX. And

Presentment for Chaplains of Prisons.

IX. And whereas, on account of the Increase in the Number of Prisons belonging to the County of the City of *Dublin*, it is expedient to augment the Sums which the Grand Juries of the said County of the City of *Dublin* are authorized to present annually as a Recompence for the Services of the Chaplains of the several Prisons in the said City (and especially of the principal City Goal of *Newgate*, where the Number of Prisoners annually committed is larger and the Duty more onerous than in the other Prisons), under and by virtue of 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; be it therefore enacted, That it shall and may be lawful for the Grand Jury of the County of the City of *Dublin*, at the *Easter* Presenting Term in every Year, to present a reasonable Sum, not exceeding the Sum of Fifty Pounds nor less than Forty Pounds, as a Salary or Recompence for the Services of any Clergyman of the Established Church or Priest of the Roman Catholic Church who, under the Provisions of the said recited Act, or of an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for converting the* Richmond *General Penitentiary into one of the Prisons for the County of the City of* Dublin, *and to amend the Law relating to Prisons in* Ireland, has been or shall be duly appointed Chaplain of the Gaol of *Newgate*, and a Sum not exceeding Forty Pounds or less than Thirty Pounds for any such Clergyman who has been so appointed Chaplain of any of the Prisons in the County of the said City; provided it shall fully appear to the said Grand Jury and to the Court that such Chaplain has duly and regularly executed the several Duties of his Office; and provided further, that if any such Clergyman or Priest shall be appointed Chaplain of Two or more Prisons, he may receive such Salary for each of such Prisons, provided the whole of such Salaries shall not exceed One hundred Pounds *per Annum*; but nothing herein contained shall be construed to alter the Power of the Grand Jury of the said City to present for the Protestant Dissenting Chaplain of the Gaols of the said City any Sums which they are now authorized to present under the said first-recited Act; and provided also, that it shall not be lawful for any Grand Jury to present any Salary for any such Chaplain as aforesaid if it shall appear to them that such Chaplain is interdicted or prohibited from exercising the Functions of his Office, either by the Rules of the Church to which he belongs or by any other competent Authority.

7 G. 4. c. 74.

6 & 7 W. 4. c. 51.

Commencement of this Act.

X. And be it enacted, That this Act shall commence and take effect from and after the First Day of *April* next after the passing of this Act.

Act may be altered.

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

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