ANNO TERTIO & QUARTO

GEORGII IV. REGIS.

****

C A P. LXXVIII.

An Act to amend the Laws relating to Grand Juries in *Ireland*. [28th *August* 1833.]

WHEREAS an Act was passed in the Fifty-ninth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to amend the Laws for making, repairing,* 59 G. 3. c. 84.
and improving the Roads and other public Works in Ireland *by Grand Jury Presentments, and for a more effectual Investigation of such Presentments, and for further securing a true, full, and faithful Account of all Monies levied under the same,* whereby it was enacted, that from and after the passing thereof no Affidavit should be necessary to empower any Grand Jury in *Ireland* to make any Presentment for the making or repairing or improving any Road or Footpath, or for the several other Purposes therein recited, the Provisions of any Act or Acts theretofore in force in *Ireland* prescribing such Affidavit to the contrary notwithstanding; and instead of such Affidavit it was by the said Act of the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third enacted, that certain Applications made in certain Forms in a Schedule to the said last-recited Act annexed, accompanied with such Estimates, Specifications, Maps, Plans, Sections, or Elevations as by the said Schedule required, should, after having been previously taken into consideration by the Magistrates assembled in Special Sessions in manner by the said Act directed, be the only Authority for empowering any Grand Jury to make Presentments for the said Purposes; and divers Provisions were by the said Act made for the Appointment of the

the Times and Places for holding such Special Sessions, and for regulating the Qualifications of the Magistrates presiding thereat, and for regulating the Proceedings thereat and consequent thereon: And whereas it has not been found that the said Provisions for the Consideration of Presentments are adequate to secure the needful Investigation of the Disbursement of the public Monies, and the due and economical Performance of the Works to be carried into execution by virtue of Grand Jury Presentments, pursuant to the several Acts now in force in *Ireland*: And whereas it has been found that Grand Juries impannelled as heretofore on the first Day of the Assizes in each County, County of a City or Town, have not sufficient Time to deliberate upon and examine into the several Presentments laid before them, nor to transact the other Functions of the Grand Inquest; and it is expedient to enlarge such Time: Be it therefore enacted by the King'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 the said recited Act of the Fifty-ninth Year of the Reign of His Majesty King *George* the Third shall be and the same is hereby repealed (save and except so far as the said recited Act repeals any other Act or Acts; and also save and except the Provisions made therein with respect to Affidavits for Presentments in the County of *Dublin* or County of the City thereof, and the Preparation and printing of Schedules thereof, and Duty of Inspectors in relation thereto; and also save and except the Provisions made therein with respect to the Town and Liberties of *Kinsale*; and also save and except as is herein-after saved and excepted with respect to Presentments and Contracts made before the Commencement of this Act, and the Duties and Powers of Supervisors and their Deputies, and the Executors of such Supervisors, and Overseers of Roads, Bridges, and other Works presented or made, or begun and entered upon, before the Commencement of this Act; and also save and except as the Provisions of the said Act now regulate and appoint the Qualification of Magistrates entitled to vote at Elections of Treasurers of Counties in *Ireland* under and by virtue of an Act made in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Regulations for the Elections, and to secure the Performance of the Duties, of County Treasurers in* Ireland, referring to and adopting such Provisions).

Recited Act repealed, with certain Exceptions.

4 G. 4. c. 33.

Justices to hold a Special Sessions for Purposes of this Act.

II. And be it enacted, That from and after the Commencement of this Act it shall and may be lawful to and for every Justice of the Peace in and for any County in *Ireland* who shall be seised of a Freehold Estate in Fee Simple or in Fee Tail or for Life of the annual Value of Three hundred Pounds at the least, situate in such County, or who shall be Heir Apparent to any Person so seised, or who shall be seised or possessed of a Leasehold Estate or Estates for Life, or for a Term of Years whereof not less than Fourteen Years shall be unexpired, of the yearly Value of Five hundred Pounds at the least, situate in such County, or who being seised of a Leasehold Estate for Life not being of such Value shall also be possessed of a Leasehold Estate or Estates for a Term of Years as aforesaid which together

ther with such Estate for Life shall amount to the clear yearly Value of Four hundred Pounds at the least, situate in such County, or who shall be a Magistrate of any City and Liberties, County of a City, County of a Town, or City and County, by virtue of the Charter or Charters incorporating the same, or who shall be an Alderman of any Corporation in any County of a City or County of a Town incorporated by Charter, and consisting of a Chief Magistrate, Alderman, and Burgesses, and where there shall not be more than Three Magistrates, or who shall be Rector or Vicar of any Rectory or Vicarage of the clear yearly Value of Three hundred Pounds, and resident therein, and who shall be an Agent to the Owner or Owners of any Estate or Estates in any County, County of a City, County of a Town, or City and County, of the annual Value of Six thousand Pounds, for the Estate or Estates therein belonging to such Owner or Owners, whether such Agent shall or shall not be seised or possessed in his own Right of any Estate, provided that such Agent be a Magistrate of such County, and really and *bonâ fide* residing therein, to attend, and all such Justices are hereby required to assemble from Time to Time and to hold a Special Sessions for the Purposes of this Act, in such Place and Places, and at such Time and Times, within any and every such County or Place for which they shall be such Justices as the Grand Jury of the same shall have appointed, pursuant to the Provisions herein-after following.

Grand Juries to fix Times and Places for Special Sessions in every County.

III. And be it enacted, That it shall be lawful for the several Grand Juries in every County in *Ireland*, and they are hereby required, at each Assizes to appoint by Presentment certain Places within their respective Counties (not being more than One in each Barony or Half Barony) where, and certain Times when, Special Sessions shall be successively holden previous to the next Assizes for such Counties respectively for the Purposes of this Act, as herein-after set forth; and such Presentment shall appoint the last Meeting of such Special Sessions to be holden at the County Court House, and direct all Applications for Works, the Expence whereof it may be by such Applications proposed to levy off the County at large, or off the Barony or Half Barony, or any Portion thereof, in which such County Court House may be situate, to be made thereat; and all Applications for Works, the Expence whereof it may be proposed as aforesaid to levy off any other Barony or Half Barony, or Portion thereof, to be made at such previous Meeting of Special Sessions as shall be holden in and for the same Barony or Half Barony; and such Presentment shall appoint and define such Baronies and Half Baronies accordingly; and it shall also be lawful for the Grand Jury at every such Assizes to direct by Presentment what Number of Copies of the Schedules of Applications to be made at such Sessions shall be printed and distributed to the Secretary of the Grand Jury previous to the next ensuing Assizes.

Only One such Session to be appointed in Towns.

IV. And be it enacted, That the Grand Jury for any County of a City or County of a Town shall appoint One such Special Sessions to be holden in the same for the Purposes aforesaid, and that all Applications for Works, the Expences whereof are to be levied off such County of a City or Town, shall be made thereat.

V. And

High Constables and Collectors to make Returns to be laid before Grand Jury.

V. And for the Purpose of enabling the Grand Jury to prepare such List of Cess Payers as herein-after mentioned, be it further enacted, That every High Constable, or other Collector of Money levied by Grand Jury Presentment, shall make a Return, on the Day when the Grand Jury shall be first impannelled at each Assizes, to the Secretary of the Grand Jury, of a List containing the Names and Places of Residence of the One hundred Persons in each Barony or Half Barony in each County, if so many there be who shall have been charged with and shall have paid the highest Sum or Sums for the County Cess Charge or Grand Jury Rates for and in respect of any Lands within such Barony or Half Barony, and stating the Arrears, if any, which shall be due by each Individual; and that on the Receipt of such Return by the Secretary, such Secretary shall immediately lay the same before the Grand Jury.

Grand Jury to determine Number of Rate Payers to be associated with Justices at Special Sessions.

VI. And be it enacted, That every such Grand Jury as aforesaid shall at each Assizes fix and determine the Number of Persons, not being more than Twelve nor less than Five, paying Grand Jury Cess, and resident within such Barony or Half Barony, Baronies or Half Baronies respectively, or in the actual Occupation of Land therein, proper, with reference to the Extent and Circumstances of such Barony or Half Barony, to be associated with the Justices at the Special Sessions to be holden therein for the Purposes of this Act, and shall make out a List of Double the same Number of Persons, with their Additions and Abode, who, not being Justices of the Peace qualified under this Act, shall have paid the highest Amount of Grand Jury Cess under the last previous Applotment in each such Barony or Half Barony respectively, and the Secretary of the Grand Jury shall deliver or cause to be delivered to each of the Persons included in such List a Copy thereof, and shall also deliver a Copy thereof to the Justices assembled at each Special Sessions to be held under the Provisions of this Act.

Grand Jury to determine Number of Cess Payers to be associated with Justices at Special Sessions.

VII. And be it enacted, That the Grand Jury of each County of a City or Town, or County and City, shall in like Manner determine the Number of Cess Payers proper to be associated with the Justices at the Special Sessions to be holden therein, and prepare a List of Double the same Number, not being Justices qualified under this Act, of Persons having paid the greatest Amount of Grand Jury Cess as aforesaid, and that such List shall be delivered and dealt with in all respects as Lists prepared in any County at large.

Magistrates to choose a Chairman, and then to select by Lot the Number of Cess Payers to be associated with them.

VIII. And be it enacted, That at every Meeting of such Special Sessions the Majority of the Justices qualified under this Act present thereat 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 a casting Voice in case of an Equality of Voices, but shall not vote except in case of such Equality; and immediately after the Appointment of such Chairman, and before entering upon any other Business, the Name of every Person included in the List of Cess Payers, prepared in manner before appointed for each Barony or Half Barony in which such

Sessions shall be held, or, in the Case of any County of a City or Town, prepared for the same, written upon separate Pieces of Parchment or Card as nearly as may be of equal Size, with his respective Additions and Abode, shall be put into a Box, to be, as well as the said Pieces of Card or Parchment, for that Purpose provided by the Secretary of the Grand Jury, and the Chairman appointed to preside at each such Sessions 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 if any of the Men whose Names shall be so drawn shall not appear, then such and so many more of such Cards or Pieces shall be drawn as may be necessary, until the Number of Cess Payers appointed as aforesaid to be associated with the said Justice or Justices shall be completed; and such Number of the said Cess Payers so first drawn and appearing, or such lesser Number of them as shall appear when drawn, shall be associated with the said Justice or Justices, and have and exercise jointly with such Justice or Justices all such Power and Authority in the Business of such Special Sessions as by this Act conferred upon any Meeting of such Special Sessions: Provided always, that the Cess Payers associated in manner aforesaid with the Justice or Justices at the Special Sessions holden in the County Court House shall, save and excepting the Cess Payer first drawn and appearing as hereinafter mentioned, have no Voice, Power, or Authority in respect of any Applications the Expence whereof it may be proposed to levy off the County at large, but only in respect of those Applications the Expence whereof it may be proposed to levy off the Barony or Half Barony, or Portion thereof, wherein such Court House may be situate: And provided further, that the Cess Payer first drawn, and appearing at each of the divisional Special Sessions to be holden in and for each Barony or Half Barony, shall be associated with the Justices at the Special Sessions holden in the County Court House, and have and exercise jointly with such Justices all such Power and Authority as by this Act conferred upon such Special Sessions in respect of so much of the Business of such Special Sessions as shall relate to the County at large, but no further; and every Justice, and Cess Payer associated with such Justice or Justices in manner aforesaid, shall, previously to acting at any such Sessions as aforesaid, take and subscribe in open Court the Oath herein-after following; which Oath any one of such Justices, or the Secretary of the Grand Jury, is hereby authorized and required to administer; (that is to say,)

Magistrates and Cess Payers to take an Oath.

'I *A. B.* of [*here insert the Name and Addition and Place of Abode of the Justice or Cess Payer taking such Oath*], 'do swear, 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 Fourth Year of the Reign of His Majesty King *William* 'the Fourth, 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 indifferently judge and 'determine, according to the Evidence and to the best of my Judg-

Form of Oath.

'ment and Ability, upon the several Applications and other Matters 'which may be brought before me under the Authority of the said 'Act. So help me GOD.'

And the Chairman at each such Special Sessions shall and is hereby required to make out and deliver to the Secretary of the Grand Jury of the same County a List of the Names of all the Justices and Cess Payers who shall have taken and subscribed such Oath 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 Oaths 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 at any such Special Sessions One Justice at the least and Two Cess Payers duly qualified under this Act shall not be present, such Sessions shall adjourn until the Day next succeeding, unless such Day shall be a *Sunday* or *Christmas Day* or *Good Friday*, and so on *de die in diem*, until some One such Justice and Two Cess Payers shall attend; and provided further, that it shall be competent for any One such Justice and Two Cess Payers to hold such Special Sessions, and to do all Matters and Things authorized to be done thereat, any thing in this Act contained to the contrary notwithstanding.

Places for fixing Notices.

IX. And be it enacted, That all Notices required by this Act shall be promulgated by Advertisements affixed on or immediately adjacent to the Doors of every Church, Chapel, and Roman Catholic, Presbyterian, and Dissenters House of Worship, and at the usual Places of posting Notices within each and every Parish.

Notices of Applications to Special Sessions.

X. And be it enacted, That a Notice in Writing of every Application intended to be made at any such Special Sessions as aforesaid shall be posted by or on behalf of the Person or Persons intending to make such Application, at the Places aforesaid, within such Parish wherein the Work to which such Application shall relate is proposed to be executed, between the Hours of Eight of the Clock in the Forenoon and Four of the Clock in the Afternoon on the *Saturday* next but One previous to the first Day appointed for holding such Special Sessions.

Applications for Presentments for Bridges, Gullets, lowering Hills, filling up Hollows, shall be made at the Divisional Special Sessions.

XI. And be it enacted, That all Applications for the Purposes herein-after mentioned shall, any thing herein-before contained to the contrary notwithstanding, be made at the Special Sessions holden for the Barony or Half 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 Post or other Road leading directly from one Market Town to another Market Town, or from any Market Town to the Sea, 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 Road, or filling or gravelling over any such Bridge, Arch, Pipe, or Gullet, or in building or repairing any Wall or Part of a Wall necessary to the Support of any Road, or to prevent any steep Banks of Earth from falling upon

any 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; and provided further, that in case the Amount of the Sum or Sums of Money required for any such Purposes as aforesaid shall not exceed Twenty Pounds, it shall, from and after the Commencement of this Act, be lawful for the Grand Jury to present the same to be raised off any Barony or Half Barony in which the same may be locally situate, any Act or Acts directing such Sum or Sums of Money for the Purposes aforesaid to be raised off the County at large to the contrary notwithstanding.

Applications for Works to be made at Special Sessions.

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

Applications to be lodged with the Secretary of the Grand Jury.

XIII. And be it enacted, That every such Application shall be lodged with the Secretary of the Grand Jury Ten Days at least before the first Day appointed for the holding of the Special Sessions whereat such Application is to be made; and such Secretary is hereby required to keep an Office open for the Purpose of receiving such Applications during Fifteen 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, indorse or cause to be indorsed 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 or Half Barony or Portion thereof, and shall make an Abstract thereof, and an Index thereto referring to the Numbers which he shall mark on each Application; and such Secretary shall produce and deliver all the Applications which shall have been lodged with him or delivered at his Office as aforesaid respecting the Execution of any Work which it may be proposed to defray at the Expence of the County, or Barony or Half Barony or Portion thereof, defined as aforesaid, at every such Sessions which shall be respectively held for the Consideration of the same, together with the Abstract thereof and the Index thereto.

Secretary to arrange and number them.

No Affidavit necessary to Presentments.

XIV. And be it enacted, That from and after the Commencement of this Act no Affidavit shall be necessary (save as by this Act otherwise provided) to enable any Grand Jury to make any Presentment for any public Work, and that Applications made and approved in the Manner herein-after mentioned shall have the like Force and Effect as such Affidavits to empower any Grand Jury to make Presentments for the Purpose therein respectively specified, any Act or Acts to the contrary hereof notwithstanding: Provided always, that such Applications shall be for such public Works or other Matters as it now is upon such Affidavits or may hereafter become lawful or competent

Manner in which Applications are to be made.

petent for any Grand Jury to make Presentment, and that each such Application be made in manner herein-after appointed; (that is to say,) such Application shall be made by Two Persons paying Grand Jury Cess, and shall set out the Title of the Act authorizing such Presentment, with the Year of the King's Reign, Chapter and Section, as printed by His Majesty's Printer, and shall specify whether the Money proposed to be raised thereunder is to be levied off the County at large, or some and what Barony or Half Barony or other Denomination of Land thereof, and shall be made in some one of the Forms marked (A.) (B.) (C.) (D.), and so forth, in the Schedule to this Act annexed, when any of such Forms may be found fitting and suitable, and shall be signed by the Two Persons making such Application with their own proper Hands; and it shall not be lawful, save as herein-after provided, for the Secretary to the Grand Jury to receive any Application which shall not be made in Manner and Form herein appointed.

Applications to be examined and approved or rejected at Sessions.

XV. And be it enacted, That at the Special Session to be holden as herein-before provided the Justice or Justices, and Cess Payers associated with such Justices in the Business of such Special Sessions, shall and they are hereby authorized and required to take into consideration all such Applications as may be made and laid before them by the Secretary of the Grand Jury in manner aforesaid, and to examine into the posting or serving of the Notices of all such Applications, and the Merits of the same, and the Conformity thereof with the Provisions of this Act; and the said Justice or 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, and what Modification thereof may be proper; and if such Justice or Justices and Cess Payers shall approve of any such proposed Work, either wholly or in part, or of any Modification thereof, they shall, 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 the Materials proper to be employed in performing and executing the same, and the Term within which such Work shall be completed, and such other Particulars as the said Special Sessions shall think fit to prescribe; and if such Application shall be for gravelling or repairing with small Stones any Road, then such Specification shall set out the Quantity of the Materials *per* Perch which it is desirable to make use of in such Repairs; and such Chairman shall indorse such Application accordingly with such Directions as the said Special Session shall think proper, and sign his Name thereto, and deliver all such Applications so indorsed to the Secretary of the Grand Jury; and such County Surveyor shall deliver such Form of Tender, Specifications, Maps, Plans, Sections, or Elevations in respect of the Work to which each such Application shall relate, as soon thereafter as the same can be conveniently prepared, to the Secretary of the Grand Jury; and the Justice or Justices and Cess Payers shall appoint the Manner in which Notice for the Receipt of Tenders and Proposals for the Execution of such Works shall

County Surveyor to prepare a Specification, &c., and Form of Tender for Works approved.

Justices, &c. to direct how Notice to be given,

shall be given, and the Period during which they shall be so received, and shall adjourn such Special Sessions until some Day previous to the next Assizes to be then holden for the opening of such sealed Tenders and Proposals, such Day not to be later than Twenty-one Days from the Day of such Adjournment. and adjourn to a Day for opening Tenders and Proposals.

XVI. Provided always, and be it enacted, That in case satisfactory Proof be given upon Oath that any Person who shall have signed any Application in pursuance of this Act has since died, or is 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 to examine upon Oath 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. In case of Death of Applicant, another Person may be examined.

XVII. And be it enacted, That the Secretary of the Grand Jury shall, upon being furnished by the County Surveyor with the 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 such Special Sessions shall have directed, his Readiness to receive sealed Tenders and Proposals for the Execution of such Work during such Period as such Special Sessions shall have appointed 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; and such Secretary shall accordingly prepare 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; and each of such sealed Tenders and Proposals shall contain a Statement of the lowest Price at 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 some Two other sufficient Persons willing to be bound jointly and severally with him in a penal Sum Double the Amount of the said Sum mentioned in such Tenders and Proposals for the due and faithful Performance of the said Contract within such Time and in such Manner as may be thereby prescribed; and all Maps, Plans, Sections, and Specifications relating to any such Work shall be open to public Inspection in the Office of such Secretary without Fee or Reward. Secretary of Grand Jury to give Notice of Works approved at Special Sessions, &c.

XVIII. And be it enacted, That at the Meeting of each such adjourned Special Sessions as aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, 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 Securities shall be called; and if the said Party and his Sureties shall appear, At adjourned Sessions, Tenders and Proposals to be opened, and Contract entered into with Party making lowest Proposal.

appear, and shall satisfy, upon Oath or otherwise, a Majority of the Justices and Cess Payers there present 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 shall thereupon enter into Security for the due Performance of the same, conditioned in such Penalty as aforesaid, such Proposal shall be accepted, and the Party making the same be declared entitled to execute the Work to which such Proposal may refer, if the same shall be presented by the Grand Jury; but that if the Party making such Proposal and his Sureties shall not appear when called, or shall fail to satisfy a Majority of the said Justice or Justices and Cess Payers present of their Sufficiency and Ability as aforesaid, or shall decline to enter into such Security as aforesaid, 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 until the said Security shall be entered into, and the Contract shall be duly completed: Provided always, that if no Proposal shall be made in respect of any Work within the Time limited for receiving the same, the Application therefor shall be void and of none effect whatsoever; and provided further, that if the Grand Jury of the County at and for the Assizes then next holden shall not make any Presentment on the Application in respect of which any Contract shall have been made according to the Provisions herein-after mentioned, then and in such Case such Contract shall be null and void to all Intents and Purposes, any thing herein contained to the contrary notwithstanding.

If no Proposal made, Application to be void.

If no Presentment made, Contract to be void.

Security to be by Recognizance to the King.

XIX. 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 His Majesty, His Heirs and Successors, and of like Force, Validity, and Effect as other Recognizances made to the King's Majesty; and at such Sessions any Justice present 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 Two Shillings and 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 Conusee or Conusees therein named, or to any Person by him or them duly authorized, to be cancelled.

Approved Applications for making new Roads, building Bridges, &c. where the Sum shall exceed 20*l.* to be certified by Grand Jury.

XX. Provided always, and be it enacted, That if any such Application made at Special Sessions as aforesaid shall be for making any new Road, or building any Bridge, or erecting, enlarging, repairing, or rebuilding any Gaol, Court House, Sessions House, or other House or Building, the Expence whereof shall exceed the Sum of Twenty Pounds, and if the Justice or Justices and Cess Payers as aforesaid shall approve of such Application, either wholly or in part, or of any Modification thereof, they shall direct the County Surveyor to prepare such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and the Materials proper

proper to be employed in performing and executing the same; and the Chairman of such Special Sessions shall indorse such Application accordingly, and sign his Name thereto, and deliver such Application so indorsed to the Secretary of the Grand Jury; and such Secretary shall lay each and every such Application before the Grand Jury to be impannelled at the Assizes held next after such Application shall have been approved at such Special Sessions, to be certified by the Foreman thereof, who shall certify the same accordingly; but it shall not be lawful for the Grand Jury at such first Assizes held after the Special Sessions whereat such Applications herein-before described shall have been approved to make any Presentment thereupon.

Special Sessions holden next after the Assizes at which such Applications shall have been certified to proceed with same like other Applications.

XXI. And be it enacted, That at the first Meeting of Special Session to be holden next after the Assizes at which such Application shall have been so certified as aforesaid for the same Barony or Half Barony, or for the County at large, at which such Application shall have been made, the County Surveyor shall lay the Specifications, Maps, Plans, Sections, or Elevations prepared as aforesaid in respect of the same before the Justice or Justices and Cess Payers assembled thereat, for their Consideration; and such Justice or Justices and Cess Payers shall and they are hereby authorized and required to examine such Specifications, Maps, Plans, Sections, or Elevations, and shall decide by a Majority of Voices whether the same ought to be adopted or rejected, or what Modification of such Specifications, Maps, Plans, Sections, or Elevations may be proper in respect of each such Application, and shall, if need be, direct the County Surveyor to alter or modify the same accordingly, and to prepare a proper Form of Tender for the Execution of such Works, expressing the Nature and Extent of such Works, and the Materials proper to be employed in performing and executing the same, and the Term within which such Work shall be completed, and such other Particulars as the said Special Sessions shall think fit to prescribe, and shall deliver the Specifications, Maps, Plans, Sections, or Elevations which shall be so approved to the Secretary of the Grand Jury, and shall appoint the Manner in which Notice for the Receipt of sealed Tenders and Proposals for the Execution of such Work shall be given, and the Period during which they shall be received; and such sealed Tenders and Proposals shall be opened at the first Adjournment of such Special Sessions to be made for opening sealed Tenders and Proposals; and thereupon such Applications, and such Tenders and Proposals relating thereto, shall be included in the Schedule of Applications to be prepared and laid before the Grand Jury at the then next succeeding Assizes, and shall be subject to such and the like Regulations in all respects as other Applications and other Tenders and Proposals are subject to under the Provisions of this Act.

Schedules of Applications to be prepared by the Secretary, and printed.

XXII. And be it enacted, That so soon as may be possible after the Special Sessions shall have been holden at all the Places and Times appointed therefor in each 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-before provided, approved of wholly or in part, and which may have been delivered

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 or Half Barony,) all such Applications for Works proposed to be levied upon each Barony and Half Barony, arranging all such Applications in alphabetical Order, and noting on the Face of each Schedule the Particulars of the Decision of the Justice or Justices and Cess Payers 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 Assizes immediately preceding; and the said Secretary shall deliver a Copy of such Schedules to each High Sheriff of the County for the Time being, and to each County 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 Applications, and annexed thereto any Specifications, Maps, Plans, Sections, or Elevations of the Works to which such Applications shall relate which shall have been prepared by the County Surveyor, and any Contract which shall have been made for the Performance of such Works, to the Foreman of such Grand Jury, and shall also deliver another Copy of the said Schedules to the Judge of Assize upon his Arrival; and the said Secretary shall keep another Copy of the said Schedule 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.

Copies of such Schedules to be delivered to the Sheriffs, &c.

Secretary of Grand Jury to place in Lists the gross Sum or Sums presented by them.

XXIII. Provided always, and be it enacted, That the Secretary of each Grand Jury at all Times hereafter, in the Preparation of all printed Lists of Presentments granted by such Grand Jury, shall place in a separate Page of such Lists the gross Sum or Sums of Money which shall have been presented by such Grand Jury under the Laws now in force, under which it is imperative on such Grand Jury for various public Services to present certain Sum or Sums of Money as therein directed.

Treasurer to applot the Sum required, and return the Applotment to the Grand Jury.

XXIV. And be it enacted, That so soon as the Secretary of the Grand Jury of each County shall have made such Schedules, and totted up the Amount of the Sums required by the several Applications, with reference to the Contracts relating thereto, to be raised at such Assizes on the County at large, the Treasurer of such County shall apportion the same according to the usual Mode of Assessment on the respective Baronies or Half Baronies; which Apportionment, together with a Copy of the Presentments made at the preceding Assizes, he shall return to the Foreman of the Grand Jury at the Time when they shall be first impannelled, as herein-after provided.

High Sheriff to impannel Grand Jury not more than Five

XXV. And be it enacted, That every Sheriff shall, immediately on receiving the Precept appointing the Day for opening the Commission at the next Assizes in his Bailiwick, inspect the Schedules to be delivered to him as aforesaid, and confer thereon with the Surveyor or

Surveyors to be appointed pursuant to this Act, and thereupon, having regard to the Quantity of Business which it shall appear likely that the Grand Jury may be called upon to transact, shall fix and appoint for impannelling the Grand Jury, under the Provisions of this Act herein-after set forth, such Day previous to the Day for opening the Commission of Assize as in his Discretion may seem fit, such earlier Day not being more than Five clear Days and not less than One clear Day before the Day appointed for opening the said Commission; and such Sheriff is hereby authorized and required, in manner heretofore practised according to Law for summoning Persons to serve on Grand Juries in *Ireland*, to summon and return a sufficient Number of Persons, qualified according to Law to serve as Grand Jurors in *Ireland*, to attend at the usual Place of holding Assizes upon the Day by such Sheriff so fixed and appointed; and the Persons so to be summoned are hereby required to come and appear agreeably to the Exigency of said Summons, under like Penalties and subject to like Forfeiture of Issues as Persons heretofore summoned to appear and serve on Grand Juries at any Assizes throughout *Ireland*, and to serve under and subject to the like Penalties and Liabilities until discharged from such Attendance in due Course of Law; and on the Day appointed for such Attendance such Sheriff shall attend with his Sub-Sheriff and Assistants, and shall, or in the necessary Absence of the Sheriff the Under Sheriff shall, proceed to impannel the said Grand Jury in all respects, so far as may be possible, and with like Solemnities, as heretofore practised according to the Law for the impannelling of Grand Juries at the several Assizes in *Ireland*; and the Clerk of the Crown shall attend at the Time and Place aforesaid, and shall, in such Manner and Form as hath heretofore been used in the swearing of Grand Jurors before the Judge of Assizes, administer to each of the Grand Jurors to be impannelled as aforesaid the Oath following; (that is to say,)

and not less than One clear Day before the Day appointed for opening the Commission at each Assizes.

'YOU shall diligently inquire, on behalf of the County [*or* County of City, County of Town, *or* City and County,] of 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 [*or* County of City, County of Town, *or* City and County,] of or upon any Barony, Half Barony, 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, or Affection.

'So help you GOD.'

Oath of Grand Juror

XXVI. And it is hereby declared and enacted, That it shall and may be lawful for any Grand Juror impannelled in *Ireland* to disclose any Matter or Thing relative to the making or refusing any Presentment for or concerning public Works or Monies, or the Expenditure of any Money raised thereby; and that the Oath taken by Grand Jurors in *Ireland*, so far as it regards any Obligation of Secrecy, shall not be construed or held to extend or relate to any of the Functions of Grand Jurors in or concerning such Presentments of public Works or Monies, or any fiscal Concerns whatsoever, nor to

This Oath not to bind Grand Jury to Secrecy.

any Office or Function of a Grand Juror other than the Functions of such Grand Juror in Matters of a criminal Nature.

Grand Jury so impannelled to be the Grand Inquest of the County.

XXVII. And be it enacted, That the said Grand Jury so impannelled as aforesaid shall be and be deemed to all Intents and Purposes to be, and shall constitute, the Grand Inquest of the same County at and for the Assizes then to be holden, and shall, save as herein-after otherwise provided, perform and discharge and be bound to perform and discharge all the Duties, Offices, and Functions which any such Grand Jury might have performed and discharged, or would have been bound to perform and discharge, if the same were impannelled before the Judge of Assize in manner heretofore practised according to Law, and subject to the like Forfeitures, Penalties, and Liabilities, and shall possess and exercise all and every the Powers, Privileges, and Authorities which Grand Juries impannelled before the Judge of Assize in manner hitherto accustomed have possessed and exercised, or ought to possess or exercise, under and by virtue of the Laws in force in *Ireland*, save as may be by this Act otherwise provided; and such Grand Jury shall not depart, save in case of Adjournment as herein-after mentioned, until discharged by the Judge of Assize in due Course of Law; and the Assizes of each County shall, for the Purposes of this Act, but only as respects Matters connected with Presentments for raising or accounting for or paying Money, or relating to public Works, be deemed to commence from the impannelling of such Grand Jury as aforesaid.

Grand Jury not to enter on criminal Business until Commission opened;

XXVIII. And be it enacted, That the Grand Jury impannelled as aforesaid shall not be competent to receive any Bill of Indictment, or to present any Nuisance or Offence, or to enter upon any criminal Business whatsoever, or to perform any Functions appertaining to Grand Jurors other than those relating to Presentments for raising Money or accounting therefor, or public Works, and the general Fiscal Concerns of the County, until the Judge of Assize shall open the Commission; and the whole of such Fiscal Business shall be concluded by such Grand Jury at or before the opening of such Commission; and all the Presentments for raising Money, or any how respecting public Works, shall be delivered to the Clerk of the Peace at or before such Time, save as herein-after provided; and after opening such Commission with the accustomed Formalities the Judge shall at the usual Time direct the Grand Jury to attend in Court, and cause to be administered, in manner and form heretofore practised according to Law, to each of the Persons composing the same, such Oath as has been or ought to have been heretofore administered to such Persons by the Judge of Assize; and the said Grand Jury shall then and thereupon be and become to all Intents and Purposes fully competent to the Exercise of all Functions of Grand Jurors whatsoever, save the making any Presentment for raising Money, or respecting public Works, or auditing Accounts, or such other Business of a Fiscal Nature as has been herein-before directed to be concluded before opening the Commission as aforesaid.

except in Cases of special

XXIX. Provided always, and be it enacted, That it shall and may be lawful for such Judge of Assize, upon a special Application to be

to him for that Purpose made by the Grand Jury or otherwise, and upon Cause shown for granting the same, to order and direct that the Grand Jury shall and may transact, after and notwithstanding the Commission shall have been opened, any such Matter relating to Presentments for raising or accounting for Money, or public Works, or the Fiscal Concerns of the County, as may be stated in such Application; and by force of such Order such Grand Jury shall be and become competent to transact the same; any thing herein-before contained to the contrary notwithstanding.

Application made to Judge of Assize, upon Cause shown.

XXX. And be it enacted, That each Grand Jury shall, for the whole Period during which they shall sit, be called over each Morning at sitting by the Foreman of such Jury, 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 Judge of Assize; and unless the same shall be excused on the Ground of Illness, or other good and substantial Reason, to the Satisfaction of such Judge, such Fine and Penalty shall be by the said Judge 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 heretofore appointed, or to report the Absence of any Juror upon such Call, he shall incur a Penalty of Ten Pounds for each such Default, to be in like Manner recovered and applied; provided that nothing herein contained shall limit or affect the Authority of any Judge to enforce the Attendance of any Grand Juror as such Judge may now enforce such Attendance.

Grand Jury to be called over at stated Times after opening of the Commission.

XXXI. And be it enacted, That the Grand Jury shall, upon being impannelled and sworn before the Sheriff as aforesaid, forthwith proceed to transact in open Court all such Business relating to Presentments for raising Money, public Works, Contracts, and 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 thereof, to be prepared as aforesaid, beginning with the Applications for Works to be defrayed by the County at large, 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 Surveyor or Surveyors to be appointed as herein-after provided, and shall hear and receive and direct to be read aloud in open Court the several Reports and Certificates of such Surveyor or 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, 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 to any Contract of or in respect of any of the Matters

Grand Jury, so soon as impannelled, to proceed with Fiscal Business, and to make or refuse Presentments on all Applications approved by Special Sessions.

Matters aforesaid; and the said Grand Jury shall sit *de die in diem* until all the Business which may come before them of the Nature hereby directed to be dispatched before the opening the Commission shall be concluded, or until the Day appointed for opening the Commission shall arrive; and if the whole of such Business shall be concluded before such Day, then the said Grand Jury may adjourn to such Commission Day; and every such Grand Juror who shall not attend pursuant to such Adjournment shall be fined by the Judge of Assize for such Nonattendance in any Sum not exceeding the Sum of Fifty Pounds, at the Discretion of the said Judge.

Panel shall consist of One Freeholder or Leaseholder at the least from each Barony or Half Barony, having Lands therein of certain Value.

XXXII. And be it further enacted, That from and after the Commencement of this Act the Sheriff of each County shall and he is hereby required, in framing the Panel of Persons summoned to serve on the Grand Jury of such County at each Assizes, to observe the Rule herein-after following; (that is to say,) he shall place first on such Panel the Name of some Person having Freehold Lands of the yearly Value of Fifty Pounds and upwards, or Leasehold Lands of the yearly Value of One hundred Pounds, over and above the Amount of Rent payable for such Leasehold Lands, within any one Barony or Half Barony of the same County, and, secondly, the Name of some Freeholder or Leaseholder having Lands of the like yearly Value respectively within any other Barony or Half Barony of the same County, and shall proceed in such Manner throughout all the Baronies and Half Baronies of such County, so that as far as can be One fit and competent Person shall be taken from each Barony and Half Barony, if such can be found therein respectively; and having in such Manner selected One fit and proper Person for each Barony and Half Barony, the Sheriff shall complete the said Panel in such Manner as now by Law authorized and directed; and the Persons taken from the Panel so framed shall be and constitute the Grand Jury or Inquest of such County; any thing in any Writ, Precept, or Venire facias expressed or directed, or any Law, Statute, Usage, or Custom to the contrary notwithstanding, and as if such Grand Jury were altogether composed of Freeholders.

Certain Officers not to serve on Grand Juries.

XXXIII. And be it enacted, That it shall not be lawful for any Person who shall be a Stipendiary Magistrate or Treasurer of the County, or Secretary of the Grand Jury, Surveyor or High Constable, or Collector of any Barony or Half Barony, or Clerk of the Crown, or Clerk of the Peace, to serve upon the Grand Jury at any Assizes or any Special Sessions to be holden under the Provisions of this Act for the County or County of any City or County of any Town within such County wherein he shall hold such Office, any Law, Usage, or Custom to the contrary in anywise notwithstanding.

Power of Grand Jury to present or reject Applications.

XXXIV. And be it enacted, That such Grand Jury impannelled as aforesaid shall have Power and Authority to present any Work or Thing for which an Application shall have been so lodged as aforesaid, so as the same shall have been approved at the Sessions to be holden under this Act for the Consideration of such Applications, or to present such Part or Modification of the Work or Thing so applied for

for as may have been approved as aforesaid, or to reject such Application altogether, and to allow or disallow as such Grand Jury may think fit the Applications to be made by Contractors or other Persons, or for Payment of Salaries, as herein-after provided, either in part or in whole: Provided always, that no Applications for making any new Road, or building any Bridge, or erecting, enlarging, repairing, or rebuilding any Gaol, Court House, Sessions House, or other House or Building, the Expence whereof shall exceed the Sum of Twenty Pounds, shall be presented at any Assizes, unless it shall appear to the Court, by the Certificate of the Foreman of the Grand Jury at the preceding Assizes, that such Application had been laid before the Grand Jury at such preceding Assizes.

Grand Juries not to make any Presentment for raising Money, unless an Application has been made and approved at the Special Sessions.

XXXV. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury, 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 lodged and approved at Sessions, either wholly or in part, as herein-before provided, save and except such Presentments as may be herein-after 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 shall have happened so recently as not to admit of the proper Application 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 to be paid to the Surveyor or one of the Surveyors appointed under this Act, and to be by him expended, or so much thereof as may be necessary to be expended upon such Repairs, and accounted for at the next Assizes, in like Manner as before the passing of this Act the Overseer may have been required to account; and the Treasurer of the County shall, out of any Monies in his Hands 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.

Saving of Presentments made pursuant to Order of the Lord Lieutenant, or to any Act for the Erection of Prisons, or other special public Work.

XXXVI. Provided, and be it enacted, That nothing in this Act contained shall be construed to limit or affect the Duty and Authority of Grand Jurors to make Presentments, pursuant to Orders of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for Repayment of Monies advanced by his or their Order or Authority, nor to affect the Powers and Authorities or Duties imposed upon or belonging to any Person or Persons named in or appointed by virtue of any Act of Parliament now in force relating to the Erection or Maintenance of any Court or Sessions House, or Gaol or Prison, or other special public Work or Establishment, save and except

except that all the Presentments of and concerning the Matters aforesaid shall be transacted, together with the other fiscal Business of the County, before the opening of the Commission at each Assizes: Provided nevertheless, that it shall and may be lawful for any Grand Jury at each and every Assizes to present, at any Time before they are discharged, such Sum or Sums of Money as shall be ordered by the Court to be paid to Witnesses for their Expences, and for the Transmission of Prisoners, as at present by Law directed.

Respecting the Appointment of County Surveyors.

XXXVII. And be it enacted, That the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall from Time to Time 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 all Persons desirous to act as Surveyors under this Act; and such Lord Lieutenant or other Chief Governor or Governors shall appoint from Time to Time, out of the Persons so certified, One or more Surveyor or Surveyors to act, at the Salary or Salaries herein-after provided, for such County or Counties, as the said Lord Lieutenant or other Chief Governor or Governors shall think fit; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors from Time to Time, at his or their Pleasure, to remove such Surveyors from County to County.

One Surveyor may act for Two contiguous Counties.

Surveyors liable to be dismissed.

XXXVIII. And be it enacted, That, with the Consent and Approbotion of the respective Grand Juries, One Person may be appointed to act as a Surveyor for Two contiguous Counties; and that all Persons appointed to act as Surveyors under this Act may be at any Time suspended or dismissed at the Pleasure of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or by the respective Grand Juries of such Counties; and in such Case, and on every other Vacancy however occasioned, the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall forthwith appoint a Successor from and out of the Persons who shall be from Time to Time certified to be qualified as aforesaid; and in case of Indisposition or other unavoidable Cause, proved on Oath to the Satisfaction of the Grand Jury or any Three Justices of the Peace, 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.

Surveyor may appoint Deputy in case of Illness.

Salaries of the County Surveyors.

XXXIX. And be it enacted, That the Salary of each Surveyor to be appointed as aforesaid shall not exceed Three hundred Pounds *per Annum*, which Amount shall be inclusive of all Charges and Expences which each such Surveyor shall incur, except as herein-after provided, or to which he shall be liable in Performance of the several Duties to him prescribed under the Provisions of this Act; and each Grand Jury is hereby authorized and required to fix the Amount of such Salary, not exceeding the Sum herein-before mentioned, and at each Assizes to present a Moiety of the Salary or Salaries of each Surveyor or Surveyors for such County for the Half Year last passed, and Payment of the same shall be made accordingly; provided nevertheless, that in case the Grand Jury at any Assizes shall be of opinion that any Surveyor has been guilty of Neglect of his

his Duty or other Misconduct, such Grand Jury shall have Authority to direct the Salary of the Surveyor so neglecting his Duty or misconducting himself to be withheld, and shall report such Neglect or Misconduct to the Lord Lieutenant or other Chief Governor or Governors of *Ireland;* and if the said Surveyor shall be, upon such Report, or at any Time, in any other Manner, or for any other Reason, dismissed from his Office, he shall forfeit, at the Discretion of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the whole or any Part of the Arrears of Salary due to him; and the same shall be applicable to the general Purposes of the County, in like Manner as other Monies from Time to Time arising in the Hands of the Treasurer.

Duty of Surveyors.

XL. And be it enacted, That the Surveyor or Surveyors to be appointed as aforesaid shall attend at each Special Sessions to be held for the Reception of Applications for Presentments, and shall afford such professional Advice and Assistance in the Consideration thereof as may be required of him, and shall prepare Forms of Tenders and Proposals, Specifications, Maps, Plans, Sections, or Elevations of any Work approved thereat, and shall also attend upon the Grand Jury, and 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, or One of them, shall also report on all Applications on part of Supervisors and Overseers heretofore appointed, and on 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 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, as appointed and created under this Act, or as may be given to him in charge by the Grand Jury.

Surveyors to have Powers of Conservators and Overseers.

XLI. And be it enacted, That each such Surveyor shall be and is hereby invested with all the Powers and Duties heretofore belonging to or vested in the Conservators of public Works in *Ireland;* and no Conservators of public Works shall be appointed or continue to act in any County or Place after such Surveyor shall be appointed therein; and such Surveyor shall also be taken and deemed to be an Overseer of all or any and every public Work or Works within the County or Counties or Place for which he shall be appointed or act; and the said Surveyor shall keep an Office open for his regular Attendance on Business

Business in such Place as the Grand Jury shall appoint, and which they are hereby required and empowered to appoint; and the said Surveyor shall employ One fit and competent Person to be a Clerk in his said Office, who shall give regular Attendance in the said Office, and for whose Conduct the said Surveyor shall be at all Times responsible; and such Grand Jury is hereby authorized and required to present a Sum not exceeding Fifty Pounds in each Year to defray the Expence of such Office, and to pay the Salary of such Clerk, a Moiety whereof the said Grand Jury is authorized and required to present at each Assizes for the Half Year last past, and to pay the same to such Surveyor accordingly, subject always to the Provisions herein-before contained with respect to the Payment of the Salary of the said Surveyor.

Surveyors not to fill other Offices, nor take Fees, nor be interested in any Contract.

XLII. And be it enacted, That no such Surveyor shall be eligible or liable to serve or act on any Jury, nor to fill any other County Office whatsoever, nor be a Party to or interested in any Application for a Presentment, nor take or receive any Fee or Gratuity whatsoever from any Contractor or other Person engaged in any public Work, nor for any Matter or Thing in anywise appertaining to the Duty of such Surveyor, nor be or become in any Manner interested in any Contract for the Performance of any Work presented or to be presented to the Grand Jury, on pain of forfeiting his Office, with all Arrears of Salary then due to him; and every such Contract in which such Surveyor shall be or become in any Manner interested shall then and thereupon be and become absolutely void, and the Surveyor so interested shall forfeit Fifty Pounds, to be recovered, with full Costs of Suit, by any Person who shall sue for the same.

Grand Juries not to name Persons in Presentments by whom Works are to be executed.

Office of Overseers.

All Works to be executed by Contracts.

XLIII. And be it enacted, That it shall not, from and after the Commencement of this Act, be lawful for any Grand Jury in making a Presentment for the Execution of any public Work to name or appoint therein any Person or Persons to execute the same, or to act as Overseer or Overseers thereof as hitherto accustomed, save and except in case of sudden Damage or Injury, under the Provision herein-before made in that Behalf, and also save and except in the case of any public Work the Cost whereof shall not exceed Five Pounds in the whole as herein-after provided; and the Office of Overseer or Overseers shall be and the same is hereby abolished, save as aforesaid; and all Works, save as aforesaid, which shall be presented by any Grand Jury shall be executed and performed by Contract made in manner herein-before provided; and the Functions of any Grand Jury shall, in respect of all Applications to be made to any Special Sessions under this Act, be limited to the Approval or Rejection of the same as approved or modified by such Sessions, and the Presentment or annulling thereof accordingly: Provided always, that no Servant, or any Person in the known Employment as Servant, of any Magistrate or Grand Juror, shall be eligible to undertake any Contract, or be appointed to act as Overseer, under this Act.

Works under 10*l.* may be executed by Applicant.

XLIV. And be it enacted, That in the Case of any public Work the Expence whereof shall not exceed Ten Pounds in the whole, it shall and may be lawful for the Person or Persons making Application

for the same to specify in such Application the Sum for which he or they are willing to undertake the Execution of such Works, subject to the conditional Presentment thereof; and it shall and may be lawful for the Justice or Justices and Cess Payers at Special Sessions, if such Application shall be approved thereat, at their Discretion, to authorize (any thing herein-before contained to the contrary notwithstanding) the Persons or either of them who shall have made Application for such Work to execute the same, in the Event of the same being presented by the Grand Jury, but not otherwise, at and for the Sum in such Application specified, and such Application shall be included in the Schedule of Applications laid before the Grand Jury, and dealt with in like Manner as any other Application included therein; and the Person or Persons so willing and desirous and so authorized to execute such Work shall be for all the Purposes of this Act deemed to have contracted for the same at such Sum, subject to the conditional Presentment thereof, and shall enter into the like Security and observe the like Regulations in all respects as Contractors under this Act, and make Application for Payment in like Manner.

All future Contracts which Grand Juries may enter into to be made, as herein-before provided, by sealed Tenders and Proposals.

XLV. And be it further enacted, That all Contracts which any Grand Jury may now or hereafter be authorized to make or enter into for the Repair of Roads, or for any other Purpose whatsoever, shall hereafter 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 Contracts for the Performance of Works comprised in Presentments to be made after the Commencement of this Act; the Amount of such Security in such Cases to be fixed by the Grand Jury, and stated in the Presentments for such Contracts: Provided always, that no such Contract shall be entered into, nor any Presentment made thereupon, save upon and after an Application made and approved at Special Sessions as herein-before provided; and provided further, that nothing herein contained shall extend to restrain or affect any Contract made or to be made with any Commissioners acting under Authority of Parliament in the Loan, Advance, or Grant of Exchequer Bills or Money.

Maps, &c. to be executed by Contract.

XLVI. And be it further enacted, That all Printing and Stationery for which Grand Juries may be authorized to make Presentment shall be executed by Contract, to be made and entered into upon sealed Tenders and Proposals, to be delivered and dealt with as such Grand Juries may direct.

Secretary to keep a Book containing Abstracts of Contracts.

XLVII. And be it enacted, That the Secretary of each Grand Jury shall provide and keep a Book in which he shall insert an Abstract of the several Contracts which now are or hereafter may be entered into by such Grand Jury, setting out the Names of the several Contractors, and 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, 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 such 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.

Surveyors to make Maps of Roads contracted for.

XLVIII. And be it enacted, That the County Surveyor shall cause an accurate Map to be made, upon a Scale of Forty Perches to an Inch, of every Road or Part thereof for the Repairs of which any Contract shall be made after the passing of this Act, which Map shall mark the precise Spot where such Contract commences, and each Townland or other Denomination of Land through which such Road or the Part thereof contracted for passes, and where the same ends; and the Line of such Contract shall be in a different Colour from the rest of the Map, and the Houses and Names of the occupying Tenant on the immediate Sides of such Road, and the Bridges, Arches, or Pipes over Streams of Water crossing such Road, shall be marked thereon; and the Surveyor making such Survey and Map shall sign his Name at the Foot of such Map, and shall certify the Accuracy of such Survey and Map before some Justice of the Peace residing near to the same Road, who shall attest the same by his Signature; and all such Maps shall be lodged with the Secretary to the Grand Jury, and shall be numbered by him with the like Number as the Contract may be distinguished by in the Book of Abstracts herein-before directed to be prepared, and shall be preserved by him, and be produced when required by the Justices at their Special Sessions, or by the Grand Jury.

Advances may be made to Contractors in certain Cases.

XLIX. And be it enacted, That in Cases where the Cost of executing any public Work shall exceed Twenty Pounds it shall be lawful for the Grand Jury, at the Time of presenting for the Work, to authorize the Treasurer of the County, from and out of any Funds in his Hands applicable to such Purpose, to advance to the Contractor One Half of the Cost of the Work; provided that it shall be certified by the proper Surveyor that more than One Half of the Cost of such Work has been fairly and honestly expended upon it conformably to the Contract, and that within the Period herein-before limited for lodging Applications for Presentments due Notice has been lodged with the Secretary of the Grand Jury of the Intention of such Contractor to apply for such Advance, and that such Application shall have been approved of by the Justice or Justices and Cess Payers at the Special Sessions to be holden for the Purposes of receiving Applications under this Act.

Contractors liable to be summoned before Justices at Petty Sessions for Wages.

L. And be it enacted, That all Contractors under this Act 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 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.

LI. And

Contractors to procure Certificate from County Surveyor of the Completion of Work, and to lodge Notice with Secretary of Grand Jury of Application for Payment.

LI. And be it enacted, That every Person who may contract with any Grand Jury under this Act shall, on the Completion of the Work for which he may have contracted, or whensoever by the Terms of such Contract he may be entitled to Payment, give Notice to the Surveyor of the County, Ten Days at the least before the first Day of each Special Sessions at which he proposes to make Application, as herein-after provided, of such Intention, and require of such Surveyor a Certificate of the due Execution of such Work or Performance of such Contract; and such Contractor shall lodge with the Secretary of the Grand Jury within the Period herein-before limited for the Lodgment of Notices of Applications for Presentments a Notice of his Intention to apply for Payment of the Sum contracted for by him, together with such Certificates to be obtained from the said Surveyor; and the Secretary to the Grand Jury shall arrange in like Manner as he has been herein-before directed to arrange Applications for Presentments all such Notices and Certificates, 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 has been herein-before directed to keep, and indorse on such Notice and Certificate the Date of the Lodgment of the same; and such Secretary shall lay all such Notices and Certificates, with an Abstract thereof and Index thereto, before the Justice or Justices and Cess Payers assembled at the Special Sessions to be holden under the Provisions of this Act for the County or Portion thereof, so that in each Case Application for Payment may be made in the Barony or Half Barony, or some one of the Baronies or Half Baronies, in which such Work shall have been executed; and the Justice or Justices and Cess Payers at such Sessions shall examine into all such Applications for Payment on the Part of such Contractors and inspect the Notices thereof and the Certificates aforesaid, and examine the Surveyor or Surveyors and all other Persons whom they think it necessary to examine for the Purpose of ascertaining the due Execution of the Work or Matter contracted for, and shall therein have and exercise all such Powers and Authorities as in the Case of Applications for Presentments under this Act, and in like Manner determine and decide upon all such Applications for Payment by Majority of Votes; and the Chairman at such Sessions shall on every Application which may be approved indorse the Word "Allowed," and on every Application which shall not be approved he shall indorse the Word "Disallowed," and the Reason of such Disallowance, and a Note of or Reference to the Particulars of the Execution of the Work which may have caused such Disallowance; and all such Applications, with the Notices and Certificates thereto belonging, shall be delivered to the Secretary of the Grand Jury, to be laid before them at the next ensuing Assizes; and such Grand Jury and the Court shall take such Application into consideration, and allow or disallow the same according to their Discretion, in like Manner as the Affidavits of Overseers have been heretofore allowed or disallowed: Provided always, that it shall not be lawful for such Grand Jury or Court to allow any Application which shall not have been approved of by the Justice or Justices and Cess Payers at such Sessions as aforesaid; and no such Contractor shall be entitled to Payment who shall not have given such Notice and made such Applica-

Secretary to make Schedule of Notices, and lay same before Justices at Special Sessions.

All such Applications to be made at Special Sessions, and if there approved, to be allowed or disallowed by Grand Jury according to their Discretion.

Application, to be approved and allowed as aforesaid; any thing in any Contract contained, or any Law or Usage, to the contrary notwithstanding.

Applications of Contractors for Payment liable to Traverse.

LII. Provided, and be it enacted, That it shall be lawful for any Person paying Grand Jury Cess to traverse, in manner in which Presentments have been heretofore traversed, at Assizes in *Ireland*, any Presentments made under this Act, and to traverse in like Manner the Application of any such 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, or on the Ground of Irregularity in the Notice of Application; and the Court at each Assizes 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 of the Court ought to be tried; and it shall not be lawful for the Clerk of the Crown or Clerks of the Peace, or any other Person, to take any greater Fee for or in respect of such Traverse than the smallest Sum which may be taken on any Traverse within the Jurisdiction of the Court; and Costs shall be paid by the Party against whom such Traverse shall be found; provided that although there shall be a Verdict against such Traverse, yet if the Court shall be of opinion that there was reasonable and probable Ground for traversing such Presentment or the Application of such Contractor, the Costs shall be paid by the Treasurer of the County from and out of the County Monies in his Hands, and the same presented accordingly.

Treasurer not to pay until Traverse decided.

LIII. And be it enacted, That it shall not be lawful for the Treasurer of any County to pay any Money which may be applied for by any Contractor or other Person, the Application wherefor has been traversed, unless such Traverse shall be withdrawn, or Judgment given for the Defendant on the Trial thereof.

Surplus Monies applicable to general Purposes of County.

LIV. And be it enacted, That 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 in the Hands of any County Treasurer, shall be applied and applicable to defray the Expences of any other public Works, or to pay any like Salaries, or to defray any other County Charge or Work, in such Manner as any Grand Jury may think fit to direct and appoint: Provided always, that such Sum shall be applied to the Credit of the County, Barony or Half Barony, out of which it shall have been originally levied.

Traverses of Presentments.

LV. And be it enacted, That any Person intending to traverse any Presentment for which it is by this Act required that Application shall be made at Special Sessions shall give Notice in Writing of such Intention to the Chairman at the Special Sessions at which the Application for such Presentment is to be taken into consideration, and the same shall be traversed only at the Assizes at which the Presentment shall be made; and 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 Pre-

sentment for the same for Damages at such Assizes as aforesaid, having given Notice to the Secretary of the Grand Jury previous to the Commencement of such Assizes of the Amount of Damage intended to be claimed, which Traverse or Traverses shall be tried then or at the ensuing Assizes for such County, 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 upon the Damages so found being presented for the Use of such Traverser, or deposited for his or their Use with the Treasurer of the County, it shall be lawful for the Contractor to proceed in the Execution of the Presentment without the Interruption of any Person; and it shall be lawful for the Grand Jury to present, at their Discretion, such Sum or Sums of Money so found for Damages, to be raised on the County or on the Barony or Half 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.

Justices may order Sums for repairing sudden Damage of Roads.

LVI. And be it enacted, That any Two Justices of the Peace in Petty Sessions assembled in any County may, under their Hands and Seals, order any Sum not exceeding Ten Pounds to be expended in repairing any Bridge or any public Road which may be suddenly damaged, provided it shall appear, upon the View of one or both of them, or that of the County Surveyor, that the Repairs of such Bridge or Road cannot be delayed till the next Assizes 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 every Grand Jury of any such County is hereby empowered to present at the next Assizes 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 other Road upon the Barony or Half Barony, or on the County of the City or Town wherein the same is situate, such Sum to be paid to the Person so appointed by such Justices upon his or their producing such Order under the Hands and Seals of the said Justices, as also a Certificate under the Hand of the County Surveyor that the Sum specified in such Order appears to have been faithfully and honestly expended pursuant thereto: Provided always, that no such Order shall be made by any Justices unless the Necessity of the same shall be notified to them by the County Surveyor in all Cases when the Attendance of such Surveyor can be readily procured; and provided also, that no Justice of the Peace shall make or sign more than One Order for the Expenditure of any Sum as aforesaid for the Reparation of the same sudden Damage between the Termination of one Assize and the Commencement of another.

Computation of Quantity of Materials.

LVII. And be it enacted, That all Weights and Measures mentioned in this Act, or used under any of the Provisions thereof, or referred to in any Presentment, shall be the Weights and Measures fixed and ordained

ordained by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, any Law, Usage, or Custom to the contrary notwithstanding.

5 G 4. c. 74.

Power to get Materials.

LVIII. And be it enacted, That any Surveyor or Contractor under this Act shall have all such and the like Powers for the obtaining of Materials as any Overseer might have or exercise before the passing of this Act, and shall for such Purpose be deemed and taken to be in the Place of an Overseer; and any such Surveyor or Contractor by whom any Sum shall be paid for Damages committed in procuring Materials for the Execution of any Work shall make Application to the Justices and Cess Payers assembled at the Special Sessions to be holden in the same Barony or Half Barony in which such Work may be executed under this Act for the Consideration of Presentments to be reimbursed the Amount so paid, giving like Notice of such Application as herein-before prescribed in Cases of other Applications; and the Justices at such Sessions shall examine into such Application, and for the Purpose of such Examination have and exercise all such Powers and Authorities as in the Case of other Applications for Presentments under this Act, and in like Manner shall approve or disapprove the same; and the said Application shall be delivered to the Secretary of the Grand Jury, to be laid before them at the next ensuing Assizes; and such Grand Jury shall have Power and Authority, in case such Application shall have been approved at such Sessions, but not otherwise, to make Presentment accordingly of the Amount of such Damages, to be levied off the County, Barony or Half Barony, or any Portion thereof, as the Case may be, chargeable with the Cost of executing such Work.

Amount of Damages committed in procuring Materials to be applied for like other Presentments under this Act.

Every Presentment to contain a Reference to the proper Statutes.

LIX. And be it enacted, That on every Presentment for the levying of any public Money whatsoever the Year of the King's Reign, and the Chapter and Section of the Act of Parliament (as printed by the King's Printer) under which such Presentment is authorized to be made and fiated, shall be inserted on the Face of such Presentment; and every such Presentment shall be entered in the County Book and in all the Schedules of Presentment, with a marginal Note of such Acts in manner aforesaid; and the Title of each particular Act so referred to shall be inserted at the End of all such Schedules, in default of which it shall not be lawful to present for printing the same; and all Presentments not made according to the Directions foregoing shall be null and void.

All Works and Bridges under 45 G. 3. c 43. to be performed by Contract.

LX. And be it enacted, That from and after the Commencement of this Act all such Roads or Bridges as any Grand Jury may be required or authorized to make, alter, fence, level, gravel, widen, or repair, or in which to cut down Hills or fill up Hollows, under or by virtue of any of the Provisions of an Act passed in the Forty-fifth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to amend the Laws for improving and keeping in repair the Post Roads in* Ireland, *and for rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious*, or any Power or Authority derived from such Act, or from such Act as

amended by any other Act or Acts passed or to be passed, shall be made, altered, fenced, levelled, gravelled, widened, or repaired, and the Hills therein cut down, and the Hollows filled up, by Contract, in manner prescribed by this Act for the Performance of other public Works, and Presentments shall and may be made therefor accordingly; and it shall not be lawful for any Grand Jury to appoint any Overseer or General Overseer of any such Roads or Bridges: Provided always, that it shall be lawful to make Advances to any Contractor in like Manner as to any Overseer under the said Act, and that such Contractors shall be and are taken to be in the Place of such Overseers so far as may be compatible with the Nature of their Contract; and in all other Particulars, save as aforesaid, the said Act or Acts, and all Powers, Authorities, Conditions, Clauses, and Regulations therein contained, shall be and remain in full Force and Effect, any thing herein contained to the contrary notwithstanding.

Grand Jury not to make Presentment for a Bridge conformably to Proposal under 19 & 20 G. 3. c. 41. (I.) unless first approved at Special Sessions, &c.

LXI. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury to make Presentment for any Bridge conformably to a Proposal for Erection thereof under the Provisions of an Act of the *Irish* Parliament passed in the Nineteenth and Twentieth Years of the Reign of His Majesty King *George* the Third, intituled *An Act for empowering Grand Juries to present Bridges, and Tolls to be paid for passing the same, in certain Cases*, or of an Act passed in the Fifty-third Year of the Reign of His Majesty King *George* the Third, amending the last-mentioned Act, unless such Proposal shall have been first approved of at the Special Sessions to be holden under this Act for the Consideration of Applications for Presentments, and that all Proposals under the said Acts shall be made in the Form of such Applications, and lodged and dealt with, and Notice thereof given and posted, according to the Provisions herein-before contained with respect to such Applications; and that so much of the said last-recited Acts as direct Notice to be given in any other Manner be and the same is hereby repealed.

Grand Jury not to make Presentments for any Court House till Application has been approved of at Special Sessions.

LXII. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury to make Presentment for the building, enlarging, repairing, or rebuilding any Court House or Sessions House unless an Application for such Presentment shall have been first made and approved of at the Special Sessions to be holden under this Act for the Purpose of considering Applications for Presentments; and that all such Applications in respect of any Court House or Sessions House shall be made and dealt with in like Manner and under like Regulations and Conditions as herein-before prescribed in respect of such Applications; and that it shall not be lawful for any Grand Jury to appoint Overseers of any such Court House or Sessions House so to be built, repaired, enlarged, or rebuilt, but that all such Works shall be executed by Contract made upon sealed Tenders and Proposals in manner herein-before prescribed with respect to such Works; provided that, save as aforesaid, nothing in this Act contained shall extend to repeal any of the Provisions of Two Acts made respectively in the Fifty-third and Fifty-fifth Years of the Reign of His Majesty King *George* the Third, providing Regulations for the building and repairing of Court Houses and Sessions

Sessions Houses in *Ireland*, or of an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland.

7 G. 4. c. 74.

Room for Petty Sessions.

LXIII. And be it enacted, That it shall be lawful for the Grand Jury of any County to present for the holding of Petty Sessions an annual Sum not exceeding Ten Pounds for the Rent of a Room or Rooms, not being in a House where spirituous or fermented Liquors are sold, or in any Police Barrack, or in any other Building maintained either wholly or in part at the public Expence, provided that no such Presentment shall be made unless upon an Application made and approved at Special Sessions in like Manner as herein-before provided with respect to other Applications for Presentments under this Act.

Accounts of Receipt and Expenditure of Fever Hospitals to be delivered before Money presented.

LXIV. And be it enacted, That where any Fever Hospital has been or shall be established in any County 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 till the Time when any further Presentment is required, shall, together with any Application for any Sum proposed to be presented for the Support thereof, be laid before the Special Sessions to be holden under this Act for the Purpose of considering Applications for Presentments, and that no such Presentment shall be made unless such Account and Application shall be approved at such Special Sessions.

Presentments for Infirmaries.

LXV. And be it enacted, That it shall not be lawful for any Grand Jury to present any Sum to be paid to the Treasurer of the Infirmary or County Hospital of any County, towards the Support and Maintenance of such Infirmary or County Hospital, unless, together with an Application for such Presentment, a Certificate under the Hand of the Physician or Surgeon of such Infirmary or County Hospital, stating the Number of Patients, as well exterior as interior, received and relieved from the Date of the preceding Presentment, and also a true Debtor and Creditor Account of the Funds and Expences thereof, commencing from the Date of the preceding Presentment, attested by the Signature of the Treasurer of such Infirmary or County Hospital, shall have been laid before the Special Sessions to be held under this Act for the Consideration of Applications for Presentments, and approved thereat.

Presentments for Dispensaries.

LXVI. And be it enacted, That it shall not be lawful for the Grand Jury of any County to present any Sum of Money towards the Establishment or Support of any Dispensary unless a Certificate of the Sums of Money received by the Treasurer thereof from private Subscription or Donation since the Date of the last Presentment, and also the Number of Patients relieved, shall have been, together with an Application for such Presentment, allowed and approved of at the Special Sessions to be held under this Act for the Consideration of Applications for Presentments, and an Account of the Disbursements of all Monies raised by virtue of any such Presentment for such local Dispensaries, as well as all Monies so received from private Subscription or Donation since the Date of the last Presentment for their Use,

Use, shall be laid before the Justice or Justices and Cess Payers at the Special Sessions ensuing the Disbursement thereof; and it shall not be lawful to make any further Presentment in aid of such Dispensary unless such Account shall be allowed by the Justices at such Sessions; and all such Accounts shall also be laid before the Grand Jury at each Assizes: 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 that the Application for Presentments for each shall be separate and distinct.

Presentment for Salary of Surgeon to an Infirmary.

LXVII. And be it enacted, That it shall not be lawful for any Grand Jury to present any Sum to be paid to the Surgeon of any Infirmary unless, together with an Application therefor, a Certificate, signed by the Governors of such Infirmary or Hospital, or by Five of them at the least, shall be laid before the Special Sessions to be holden under this Act for the Purpose of considering Applications for Presentments, which Certificate shall state that the Surgeon for whom such additional Salary is requested to be presented hath duly and faithfully executed his Duty as Surgeon of such Infirmary or Hospital during the preceding Year, nor, where such Surgeon shall have been appointed subsequent to the passing of this Act, unless a true Copy, certified under the Hand of the Treasurer of such Infirmary or Hospital, of the Letters Testimonial from the College of Surgeons in *Ireland*, by Law required to be obtained by every such Surgeon, shall be laid before such Special Sessions, nor unless such Surgeon shall, if required, give his Attendance and professional Assistance without any other or further Fee or Reward to the Prisoners and others in the Gaol of the County to the Infirmary of which he has been appointed Surgeon, if such Gaol is situate within Five Miles of such Infirmary.

Waterford County Hospital.

LXVIII. And whereas by a certain Act passed in the Parliament of *Ireland* in the Thirty-ninth Year of His late Majesty King *George* the Third it was, amongst other things, enacted, that the public Infirmary or Hospital of the County of *Waterford* should be erected or established in the Town of *Kilmar Thomas* in the said County, and certain Persons therein named, and their Successors for ever, were constituted into a Body Politic and Corporate, under the Name of "The Governors of the County of *Waterford* Hospital," but no such Infirmary or Hospital hath been since erected; be it therefore enacted, That so much of the said Act of the Thirty-ninth Year of the Reign of King *George* the Third as directs that the County Hospital or Infirmary of the said County of *Waterford* should be erected in the said Town of *Kilmar Thomas* be and the same is hereby repealed; and it shall be lawful to erect the Infirmary or Hospital of the said County of *Waterford* in any convenient and suitable Place within the said County or the County of the City of *Waterford*.

Certain Presentments not to be

LXIX. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Grand Jury to present any

made by Grand Jury unless approved of at Special Sessions.

any Sum or Sums of Money for the Purpose of erecting, establishing, hiring, repairing, enlarging, rebuilding, or fitting up any Fever Hospital, nor for the Support of any Lunatic Asylum, or Ward or Wards for the Reception and Support of Idiots and insane Persons, nor for the yearly Allowance, Remuneration, or Superannuation of any Constable or Sub-Constable, nor for any Compensation or Salary to the Keepers of Gaols, Penitentiaries, and Bridewells, nor to Matrons nor Turnkeys employed therein, nor for the Payment of Baronial Constables appointed by any Grand Jury, unless Application for the same shall have been made and approved at the Special Sessions appointed to be holden under this Act.

Compensation for malicious Injuries to Property, how to be recovered.

LXX. And be it enacted, That in all Cases of maliciously and wantonly burning, demolishing, or pulling down any House, Outhouse, Haggard, or other Building, or of the Robbery, burning, sinking, destroying, or otherwise injuring of any Corn, Turf, Merchandize, Store Boat, Barge, Vessel, or other Property, or of maliciously houghing, cutting, maiming, or injuring of any Cattle, it shall and may be lawful for any Person or Persons injured by such Offence to exhibit and deliver to the Judge or Judges of Assize at the next Assizes to be held for the County, County of a City or Town where any such Offence may have been committed, a Petition praying Compensation for the Loss or Damage occasioned by such Offence, and stating the Time and Place when and where such Injury was done, the particular Property taken away, injured, or lost, and the Amount of the Damages 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, then stating such particular Descriptions of each such Offender as may be known; and the said Matter shall thereupon be examined by the Grand Jury, on the Oath of the Party so petitioning, and such other Evidence as can be produced touching the Facts stated in such Petition; and the Grand Jury of such County, County of a City or Town, at the same or next Assizes or Presenting Term, shall and they are hereby required to present, to be raised off the County, or any Barony or Half Barony thereof, such Sum of Money as shall appear to be the Amount the Party petitioning ought to receive by way of Compensation for such Loss or Damage: Provided always, that Notice in Writing of every such Petition shall be lodged with the Secretary of the Grand Jury in like Manner and Time as Applications for Presentments are herein-before directed to be lodged; and a Copy of every such Petition shall be laid before the Special Sessions to be held under this Act in the Barony or Place where or next adjacent whereunto such malicious Injury may have occurred, and the Justice or Justices and Cess Payers assembled at such Special Sessions shall and may inquire into the Matter of such Petition, and the Chairman shall indorse their Opinion thereupon, and the Secretary of the Grand Jury shall deliver every such Copy of Petition so indorsed to the Judge of Assize to whom the Petitioner may apply; and it shall not be lawful for any Grand Jury to examine into the Matter of such Petition unless it shall appear to them that the same shall have been laid before such Special Sessions in manner herein-

herein-before directed: Provided always, that the Opinion of such Special Sessions shall not be binding or conclusive upon such Judge of Assize.

Method of raising Compensation for malicious Injury committed near Boundary of Two Counties.

LXXI. And be it further enacted, That in case such Robbery, burning, sinking, or other malicious Injury shall be committed on the Verge or within the Distance of Two Miles of the Boundary of any Two or more Counties, it shall and may be lawful to prefer one such Petition to the Judge or Judges of Assize at the next Assizes to be holden for either or any of such Counties, and it shall be lawful for such Judge or Judges of Assize to direct the Grand Jury of such County, if he or they shall so think fit, to examine into the Matter thereof, and to take such Proceedings thereon as aforesaid; and in case they shall find any Sum or Sums of Money to be due or payable as and for Compensation to such Party petitioning as aforesaid, such Judge or Judges shall have Power and Authority to apportion the Amount of such Compensation between such neighbouring Counties in such Proportions as they shall think fit, and certify the same accordingly; and the Grand Juries of such Counties respectively shall and they and each of them are hereby required, on the Production of the Certificate of such Judge or Judges declaring the Amount of Compensation to be paid on Foot of such Petition, and the Proportions in which the same shall be borne by the said neighbouring Counties, to present such Proportions of the Amount of such Compensation accordingly to be raised off such Counties, or any Barony or Half Barony thereof, and paid to such Party so petitioning, as the Case may require.

Cess Payers to be admitted to oppose Petition.

LXXII. And be it enacted, That if any Person paying Grand Jury Cess shall be desirous of controverting the Matter of any such Petition, he shall be heard; and in case the Judge or Judges shall so think fit, he or they shall direct a Jury to be forthwith impannelled to try the Matter, and the Judge shall allow or disallow such Petition according as such Jury shall find the Matter to be; and in case they shall award any Compensation, the Sum so awarded shall be presented by the Grand Jury, as the Compensation to be paid, on Foot of such Petition, and Presentment made accordingly.

If Property be recovered, Treasurer entitled to it for the Benefit of the County.

LXXIII. Provided always, and be it enacted, That if any Property for which any Person shall have received Satisfaction by such Presentment as aforesaid shall be afterwards discovered or obtained, the Treasurer or Treasurers for the Time being of the County from which such Satisfaction has been received may have and recover such Property, and the same is hereby declared and enacted to belong unto and be vested in him or them for the Use of such County or Counties, in proportion to the Sums respectively presented and raised off the same, and such Treasurer may maintain in his own Name any Action and pursue any Remedy or Proceeding for the Recovery of such Property, or of Damages for the same, which the Person robbed might have had or maintained before such Satisfaction received by such Presentment; and such Property, when recovered, shall be sold or disposed of by such Treasurer, and the Money arising from such Sale, after deducting the Charges for the Recovery thereof, shall be applied

applied by such Treasurer to the Use of the County, Barony or Half Barony, or County of a City or Town, by which such Satisfaction shall have been made.

No Action to be brought where Compensation obtained under this Act; but where not obtained, Party injured to have all other legal Remedies.

LXXIV. And be it enacted, That no Action or Suit against any Chief or other Magistrate, or any Inhabitant or Inhabitants of any Parish, shall be brought or prosecuted by the Party so petitioning as aforesaid for the Recovery of any Satisfaction or Damages sustained by reason of any Offence for which Compensation may have been obtained under the Provisions herein-before contained: Provided always, that although such Petition as aforesaid may have been preferred, it shall nevertheless be lawful, if the same shall be disallowed, for such Person or Persons injured by such Offence as aforesaid to seek for Satisfaction and Damages by all such Ways and Means as authorized or directed by an Act passed in the Parliament of *Ireland* in the Twenty-third and Twenty-fourth Years of the Reign of His Majesty King *George* the Third, intituled *An Act for the more effectually punishing such Persons as shall by Violence obstruct the Freedom of Corn Markets and the Corn Trade, or who shall be guilty of other Offences therein mentioned, and for making Satisfaction to the Parties injured*, or any other Act or Acts in force in *Ireland*, any thing herein contained to the contrary notwithstanding.

23 & 24 G. 3. c. 20.

Applications relating to Salaries and Contingencies to be lodged with the Secretary.

LXXV. And be it enacted, That all Applications for Fees, Poundages, or other Contingencies or Payments whatsoever, save and except fixed annual Salaries, for which Grand Juries now are or hereafter may be authorized by Law to make Presentments, shall, with a full Detail of the Particulars and Amount thereof, be lodged with the Secretary of each Grand Jury Six clear Days at the least previous to the Day to be appointed under the Provisions of this Act for impannelling such Grand Jury; and such Secretary shall insert in Writing an Abstract of such Applications at the Foot of the proper Schedule which he is required to deliver to the Foreman of the Grand Jury, and also at the Foot of the Copy which he is required to keep in his Office for the Inspection of the Public: Provided always, that such Presentments for Fees, Poundage, or other Contingencies or Payments, the Particulars and Amount whereof cannot be ascertained so as to allow of their being specified when the Application therefor shall be lodged with the said Secretary at the Time aforesaid, may be made by the Grand Jury, although such Particulars and Amount shall not have been so specified.

Recovery of Sums assessed.

LXXVI. And be it further enacted, That the Sum or Proportion of the Money to be raised off each Barony or Half Barony or County of a City or Town under the Treasurer's Warrant, duly applotted for every Person or Individual to pay, shall be due and payable by every such Person, his Executors or Administrators, upon Demand, and shall and may be not only levied by Distress as heretofore by Law provided, but shall and may be recovered by Civil Bill to be brought and prosecuted in the Name of such Treasurer at any Time within Twelve Months from the making of such Applotment: Provided always, that before it shall be lawful for any Grand Jury to present

any Sum of Money as unpaid or in arrear out of any Barony or Half Barony, County of a City or Town, to be raised and levied on such Barony, Half Barony, County of a City or Town, it shall be made to appear by Affidavit to such Grand Jury that such Sum is actually in arrear and unpaid by such Barony, Half Barony, County of a City or Town.

General Issue may be pleaded.

LXXVII. 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 any Distress on the acting Treasurer and Justices 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 to Defendants; and that the solemn Affirmation or Declaration of a Quaker shall be adjudged and taken to be of the same Force and Effect, to all Intents and Purposes, in any Case where by this Act an Oath is required to be taken, as if such Quaker had taken an Oath in the Form prescribed or in the usual Forms.

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

LXXVIII. 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.

Justices not to take Money for Affidavits.

LXXIX. 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.

Secretary of Grand Jury not to be a Clerk of the Peace or Treasurer of the County.

LXXX. And be it enacted, That after the passing of this Act it shall not be lawful for any Person holding the Office of Secretary of the Grand Jury to be at the same Time Clerk of the Peace or Treasurer of the County; 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 Assize, shall for such Refusal or Neglect forfeit any Sum not exceeding Fifty Pounds, at the Discretion of such Judge.

Penalty.

Penalty for assaulting or resisting

LXXXI. And be it enacted, That in case any Person or Persons shall resist or make forcible Opposition to any Person or Persons employed

Persons acting under this Act.

employed in the Execution of this Act, or shall assault any Surveyor or Deputy Surveyor, Collector, Supervisor, Overseer, Contractor, or Peace Officer in the Execution of this or any other Act for the making or repairing of High Roads, or shall make or attempt to make any Rescue of Goods distrained or seized by virtue of this or any other such Act, or if any Constable or Sub-Constable shall refuse or neglect to execute any Warrant granted by any Justice of the Peace pursuant to any Power by this Act created, every such Person offending therein, and being convicted thereof before any Two Justices of the Peace at Petty Sessions, by the Oath of One credible Witness, shall for every such Offence forfeit any Sum not exceeding Ten Pounds nor less than Forty Shillings, at the Discretion of such Justices; 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.

False swearing punishable as Perjury.

LXXXII. And be it enacted, That if any Person shall wilfully swear or affirm falsely in any Oath or Affirmation 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 Special Sessions, to make such Presentments for defraying the Prosecution of such Delinquent as to them may seem fitting and expedient.

Money to be the present Currency. Schedules Part of the Act.

LXXXIII. 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 that the Schedules annexed to this Act shall be deemed and taken to be Part thereof, and that the Forms therein contained, and none other, 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.

27 G. 3. c. 35.

LXXXIV. And whereas by an Act of the Parliament of *Ireland* passed in the Twenty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the Preservation of the Game*, it is, amongst other things, enacted, that any Person or Persons who shall take, kill, or destroy certain Vermin therein described shall receive for each and every of the same so destroyed a certain Sum therein specified; which said several Sums, on Proof being made in Form and Manner therein described, each and every Grand Jury at the General Assizes are thereby required to present, to be levied in the usual Manner on the County, and paid to the Persons entitled to the same: And whereas it is expedient that such Provisions should be repealed; be it therefore enacted, That so much of the said recited Act as relates to the Presentment of any Money to any Person for killing or destroying Vermin as afore recited shall be and the same is hereby repealed.

So much of recited Act as relates to Rewards for destroying Vermin repealed.

LXXXV. And

A Half Barony to be deemed a Barony.

LXXXV. And be it further enacted, That every Half Barony shall be considered and deemed a Barony within the Meaning of this Act; and that wherever the Word "County" shall occur in this Act, the same shall be deemed and taken to include and import any County at large, or County of a City or County of a Town and City, or City or Town and County, unless the contrary thereof shall be expressed, or that such Construction shall be inconsistent with or repugnant to the Context.

Baronies, &c. may be divided.

LXXXVI. And be it further enacted, That it shall and may be lawful for the Grand Jury of any County, by Presentment, to divide any Barony or Half Barony thereof into One or more Subdivisions, each whereof shall for the Purposes of this Act, and for all Purposes relating to the presenting, raising, and levying of Money for any Matter or Thing for which Presentment may be lawfully made by Grand Juries, be deemed and taken to be a Barony or Half Barony, as such Grand Jury shall present the same.

Money heretofore paid to Collector of Excise to be disposed of under Direction of the Treasury.

LXXXVII. And be it further enacted, That in all Cases where by any Act or Acts now in force the Treasurer of any County may be authorized or required to pay any Money to any Collector of Excise or other Person, to be by him accounted for as Public Money, the same shall, from and after the passing of this Act, be paid and payable to such Bank or Person and in such Manner as the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury, or any Three of them, shall from Time to Time think fit to direct and appoint.

Commencement of Act

LXXXVIII. And be it enacted, That this Act shall, in so far as respects the Appointment by the Grand Jury of Special Sessions to be held under this Act, commence and take effect from and after the First Day of *January* next, and in so far as respects the other Provisions of this Act shall commence and take effect from and after the First Day of *May* in the Year One thousand eight hundred and thirty-four, and not sooner: Provided always, that all Presentments and Contracts made, or Money to be levied, accounted for, or paid, under or in consequence of the said recited Act of the Fifty-ninth Year of the Reign of His Majesty King *George* the Third, at any Time before the Commencement of this Act, shall be levied, accounted for, and paid in manner provided by the said recited Act, and subject to the Rules, Regulations, and Provisions therein contained; and provided also, that nothing herein contained shall be construed to affect, alter, or abridge the Powers, Duties, and Liabilities of any Supervisor, or of his Deputy or Deputies, or of his Heir or Executor, or of any Overseer or other Person, vested in or exercised by him or them under the Provisions of the said recited Act, 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.

Presentments made before Commencement of this Act to be accounted for under 59 G. 3. c. 84.

Act may be amended.

LXXXIX. And be it further enacted, That this Act may be amended, altered, or repealed in this present Session of Parliament.

SCHE-

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A. 1.)

Form of Application for opening a new Road.

County of } We, of and of do certify, That in our Opinion it would be useful to open a new Line of Road from to between and in the Baronies of in this County, 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 the Act*]; and we propose that the Expence of same shall be defrayed by the County at large [*or* Barony *or* Half Barony of].

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

Form of Application for Payment by a Contractor for forming, levelling, and draining a new Road.

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 the Act*], presented at Assizes, in the Year to be expended in Perches of the new intended Road from to between and all in Barony or Half Barony of in this County; which Road is to be Feet wide in the Clear of all Ditches, Banks, and Drains: And whereas I contracted for the Work aforesaid: Now this is to certify, That I have faithfully and honestly performed, levelled, and drained Perches of the said Road, in conformity to the said Presentment; and that every Part of the said Perches is Feet in the Clear between the Ditches, Banks, Drains, or Fences, and is of a proper Level throughout the whole of the said Width, with a regular Fall from the Centre of said Road to the Sides, and the whole done according to and in conformity with the Presentment made by the Grand Jury; and that there is not adjoining to either Side of the said Road so formed, levelled, and drained any Grip without a Bank or a Wall or other sufficient Fence between it and the Side of the Road; and that every Part of the said Work was finished on the Day of .

Form of Application for Payment by a Contractor for finishing and completing a new Road with Stones and Gravel.

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 the Act*], presented at the Assizes in the Year to be expended in soleing with Stones and other Materials, and in finishing with small Stones and Gravel, Perches of the new intended Road from to between and all in the Barony of in this County, which Road is Feet wide in the Clear of all Ditches, Banks, or Fences, and which has been finished Feet wide at the least with Stones and Gravel: And whereas I contracted for the Work aforesaid: Now I, do certify, That I have faithfully and honestly finished the said Road with Stones and Gravel in conformity to the Presentment, with the Quantity of Stones and Gravel at the least therein specified, and that every Part of the said Perches is Feet wide in the Clear between the Banks, Drains, or Fences, and is safe and level throughout the whole of said Width, and free from Obstruction; and that Feet at the least of said Width is made with Gravel and small Stones, and is safe and level throughout the whole of said Width for Carriages to pass and repass on, with a regular Fall from the Centre to the Sides; and that the Back of every Ditch or Fence thereto, to which there is a Grip, is turned to the Road, and the Grip to the Field Side; and that every Part of said Work was finished on the Day of .

Form of Application by Contractor for Payment for making Fences to new Roads.

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 the Act*], presented at Assizes, in the Year to be expended in making Perches of Fences on each Side of the Road from to between and all in the Barony or Half Barony of in this County, being at the Rate of by the Perch: Now I, do certify, That I contracted for the said Work, and have executed the same according to the said Presentment, and that the whole of the Perches of Fences aforesaid are well and effectually made pursuant thereto, "and that the Bank Side thereof is turned to the Road, and the Grip to the Field Side;" and that the said Work was finished on the Day of .

N.B.—Where there is no Grip Work, the Words within inverted Commas to be omitted.

SCHEDULE (B.)

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 of the said Perches are in the Townland of
and that Perches thereof are in the Townlands of
all in the Barony of
in this County; and that the same are in need of repair; and we propose that the Expence of the aforesaid Repairs 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 the Act*].

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

Form of Application for Payment by Contractor for the Repairs of Roads.

County of } Whereas the Sum of was by virtue of the Section of the Chapter [*here set out the Reign*], being an Act for [*here set out the Title of the Act*], presented at Assizes, in the Year to be expended in repairing
Perches of the Road from to
between and , all in the Barony of
in this County, which Road is Feet wide in the Clear of the Ditches, Drains, Banks, or Fences, and Feet wide, with Gravel or small Stones, which Sum was calculated at the average Rate of by the Perch for such Repairs: And whereas I contracted for the Performance of the aforesaid Work: Now I, do certify, That I have faithfully and honestly repaired Perches of the said Road, (being the Parts of the said Road which were most in need of Repair) in conformity to the said Presentment; and that every Part of the said Perches is
Feet wide at the least in the Clear of all Ditches, Banks, Drains, or Fences, and that it is safe and level throughout, and free from Nuisances; and that Feet wide at least of the said Width is made or repaired with Gravel or small Stones, with a regular Fall from the Centre of the Road to the respective Sides, and is safe and level throughout the whole of the said Width for Carriages to pass and repass on; and that there is a clear Passage on each Side of the said Road to prevent the Water from injuring the same; and that every Part of the said Work was finished on the Day of .

SCHE-

SCHEDULE (C.)

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 Townlands of all in the Barony or Half Barony of in this County, and that every of the same is Feet wide, and no more, in the Clear, within the Ditches, Banks, Drains, or Fences; and we are of opinion that it would be useful to the Public using such 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 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 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 the Act*].

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

Form of Application by Contractor for Payment for widening Roads and making Fences thereto.

County of } Whereas the Sum of was by virtue of the Section of the Chapter [*here set out the Reign*], being an Act for [*here set out the Title of the Act*], presented at Assizes, in the Year to be expended in widening and in making and repairing with Stones and Gravel, and making Fences to Perches of the Road from to between and in the Townlands of all in the Barony of in this County, so as to make the said Road Feet wide in the Clear of all Ditches, Banks, or Drains, and Feet wide at the least with Stones and Gravel: And whereas I contracted for the Execution of the said Work: Now I, do certify, That I have faithfully and honestly widened and fenced, and made and repaired with Stones and Gravel Perches of the said Road, in conformity to the Presentment; and that every Part of the said Perches is now effectually widened to the Width aforesaid, and safe and level throughout the whole of the said Width and every Part thereof; and that Feet wide of the same is made or repaired with Barrels of Gravel or Stones, and is safe and level throughout the whole of the said Width for Carriages to pass and repass on; and that the Back

Back of every Part of the said Fence, where there is a Grip thereto, is turned to the Road, and the Grip to the Field Side; and that every Part of the said Work was finished on the Day of .

SCHEDULE (D.)

Form of Application for making or repairing Footpaths.

County of } We of and of do certify, That it is necessary to make [*or* repair] Perches of a 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 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 the Act.*]

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

Form of Application for Payment by a Contractor for making or repairing Footpaths.

County of } Whereas the Sum of was by virtue of the Section of the Chapter [*here set out the Reign*], being an Act for [*here set out the Title of the Act*], presented at Assizes, in the Year to be expended in Perches of a Footpath on the Road from to between and all 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 made and repaired Perches of a Footpath on the said Road in conformity to the Presentment, and that every Part of the said Work was finished on the Day of .

SCHEDULE (E.)

Form of Application for lowering a Hill or filling a Hollow, or both, as the Case may be.

County of } We, of and of do certify, That we have lately viewed Perches of a Road over a in the Townland of in this County, on the Road from the Market Town of to the Market Town of and we are of opinion that it

it would be useful [*here insert the Work proposed*]; and we propose that the Expence of the aforesaid Work 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 the Act*].

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

Form of Application for Payment by a Contractor for lowering a Hill, or filling a Hollow, or both.

County of } WHEREAS the Sum of was by virtue of the Section of the Chapter [*here set out the Reign*], being an Act for [*here set out the Title of the Act*], presented at Assizes, in the Year to be expended in and remaking the Road over the same, in the Townland of in this County, on the Road from the Market Town of to the Market Town of : And whereas I contracted for the Work aforesaid: Now this is to certify, That I have faithfully and honestly executed the said Work in conformity to the Plan, Estimate, Section, and Specification agreed to by the Grand Jury at the Time of the Presentment being made, and that the same is executed pursuant to the said Presentment, and the Road over the same is completely finished in every Part, so as to be Feet in the Clear of all Ditches, Banks, Drains, or Fences; and that Feet wide in the Centre of the said Road is made with Barrels of Stones and Gravel; and that it is safe and level throughout the whole of the said Width for Carriages to pass and repass on, with a regular Fall from the Centre of said Road to each Side respectively; and that there is a sufficient Passage on each Side of the said Road to prevent the Water from injuring the same; and that the whole of the said Work was finished on the Day of .

SCHEDULE (F.)

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 out the Work*], at in this County; and we propose that the Expence of the aforesaid Work 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 the Act*].

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

Form of Application for Payment by a Contractor for executing, enlarging, or repairing any Building.

County of } WHEREAS the Sum of was, by virtue of the Section of the Chapter [*here set out the Reign*], being an Act for [*here set out the Title of the Act*], presented at Assizes, in the Year to be expended in at on the Road between and in the Townlands of in this County: And whereas I contracted for the Work aforesaid at the Rate of : Now this is to certify, That I have faithfully and honestly performed the said Work, in conformity to the said Presentment, and that every Part of the said Work was finished on the Day of .

SCHEDULE (G.)

Form of Application for Presentments to fill Grips or Trenches on the Sides of the Road, and making others with the Bank or Back to the Road Side and the Grip to the Field Side.

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 measuring Cubic Yards, 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 Bank, Wall, or Fence, with the Trench or Drain on the Field Side thereof; and we propose that the Expence of the aforesaid Work 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 the Act*].

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

Form of Application by Contractor for Payment for filling Grips or Trenches on the Sides of Roads, and making others with the Bank or Back to the Road Side and the Grip to the Field Side.

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 the Act*], presented at Assizes in the Year to be expended in Perches of

of immediately adjoining the Side of the Road from to between and all in the Barony of in this County: And whereas I contracted for the Performance of the aforesaid Work: Now this is to certify, That I have faithfully and honestly performed the said Work, which is completed in conformity to the Presentment as agreed upon by the Grand Jury, and that the same is effectually executed in every Particular, and that every Part of the same was finished on the Day of .

SCHEDULE (H.)

Form of Application for filling Grips and Holes on the Sides of Roads.

County of } We, of and of } do hereby certify, That it is necessary to fill Perches of the Grips of the Ditches and Holes which are dangerous for Travellers and Passengers, and which are immediately adjoining the Side of the Road from to between and all in the Barony of in this County; and we propose that the Expence of the aforesaid Repairs 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 the Act*].

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

Form of Application by Contractor for Payment for filling Grips or Holes on the Sides of Roads.

County of } Whereas the Sum of was by virtue of the Section of the Chapter [*here set out the Reign*], being an Act for [*here set out the Title of the Act*], presented at Assizes, in the Year to be expended in filling up Perches of Grips of the Ditches and the Holes immediately adjoining the Side of the Road from to between and all in the Barony of in this County: And whereas I contracted for the Performance of the aforesaid Work: Now I do certify, That I have faithfully and honestly executed the said Work in conformity to the Presentment of the Grand Jury, and that the said Work was finished on the Day of .

SCHE-

SCHEDULE (I.)

Form of Application for erecting a Bank or other Fence on the Sides of a Road through a Bog, to protect Passengers from the Drains on the Sides thereof.

County of } We, of and of do certify, That we have lately viewed and measured Perches of the Road from to where it runs through a Bog, between and all in the Barony or Half Barony of in this County, where it is dangerous for Passengers to pass and repass, as there are no Banks or other Fence to protect Passengers from the Danger which arises from Drains on the Side thereof; and that it is necessary to erect sufficient to secure the Road from the said Drains; and we propose that the Expence of the aforesaid Repairs 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 the Act*].

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

Form of Application by Contractor for Payment for erecting Banks or other Fences between the Road through a Bog and the Drains along its Sides.

County of } Whereas the Sum of was by virtue of the Section of the Chapter [*here set out the Reign*], being an Act for [*here set out the Title of the Act*], presented at Assizes, in the Year to be expended in making Perches of on the Side of the Road from to between and where it runs through a Bog, which was dangerous for Passengers from the Drains on the Side or Sides thereof, in the Barony of in this County, being at the Rate of by the Perch: And whereas I contracted for the Work aforesaid: Now this is to certify, That I have faithfully and honestly executed said Work, in conformity to said Presentment, that the Work is effectually executed, and that it was finished on the Day of .

SCHEDULE (K.)

Form of Application for making, widening, or deepening Drains on the Side of a Road.

County of } We, of and of do certify, That it is necessary to Perches of Drain, immediately adjoining the Side of the Road from to between and all

all in the Barony of in this County, (such Drains not to be nearer than Feet from the Centre of the said Road,) so as to make them Feet wide at Top, Feet perpendicular Depth, and Feet wide at Bottom, which are necessary for conveying the Water therefrom which injures said Road; and we propose that the same 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 the Act*].

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

Form of Application for Payment by a Contractor for the making, widening, or deepening Drains on the Side of a Road.

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 the Act*], presented at Assizes, in the Year to be expended in Perches of Drains on the Side of the Road where the Water injured that Part of the Road from to between and all 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 performed said Work, in conformity to said Presentment; and that the said Drains are of the Dimensions specified in the Presentment agreed to by the Grand Jury, and are effectually executed; and that the Water is effectually carried off from that Part of the Road; and that the said Work was finished on the Day of .

SCHEDULE (L.)

Form of Application for erecting Milestones or Finger Posts.

County of } WE, of and of do certify, That it is requisite and necessary to erect on the Road leading from to between in the Barony [*or* Half Barony] of in this County; and we propose that the Expence for the aforesaid Milestones *or* Finger Posts 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 the Act*].

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

Form of Application for Payment by Contractor for erecting Milestones or Finger Posts.

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 the Act*], presented Assizes in the Year to be expended in erecting on the Road leading from to between and in the Barony [*or* Half Barony] of in this County, being at the Rate of for each: And whereas I contracted for the Performance of the aforesaid Work: Now I do certify, That I have faithfully and honestly erected in conformity to the Presentment made by the Grand Jury, and that the Work is effectually executed, and was completed on the Day of .

SCHEDULE (N.)

Form of Application for Payment by a Contractor for keeping a Road in repair.

County of } I of in the County of who am Contractor for keeping in repair Perches of the Road leading from to between and commencing at and ending at in the Barony of in this County, do 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; and that the said Perches and every Part thereof are now in good and sufficient Repair and Condition, with a regular Fall from the Centre to the Sides thereof respectively for carrying off the Water therefrom; and that it is free from Nuisances, and of the Breadth required by Law; and that there has not been any Money presented to be laid out on any Part of the Road (to which I am Contractor) since the Commencement of my Contract, but the whole of the Repairs, &c. have been made at my own Expence.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1833.