

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

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CAP. CXVI.

An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in *Ireland*. [20th *August* 1836.]

WHEREAS the Laws heretofore made and in force in *Ireland* for the Purpose of regulating the Fiscal Powers of Grand Juries have become obscure and complicated from their Multiplicity, and their Provisions have been found in many respects insufficient, and it is expedient, with a view to secure the better Execution of Public Works, and facilitate the Transaction of local Business, that the said Laws should be consolidated and amended, and that a uniform System of raising Money by Presentment of Grand Juries should be established in all Counties in *Ireland*, whether Counties at large, Counties of Cities, or Counties of Towns: 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 it shall not be lawful for any Grand Jury of any County, County of a City, or County of a Town, except the County and City of *Dublin*, at any Assizes to make any Presentment (save and except in the Cases hereinafter specially reserved and excepted) for the Execution of any Public Work whatsoever, or for raising any Money, unless under the Authority and by virtue of the Provisions of this Act.

All Presentments to be made under this Act.

II. And whereas an Act of Parliament was made and passed in the Parliament of *Ireland* in the Thirty-sixth Year of the Reign of His late

The Act 36 G 3. (I.) repealed after 1st Feb. 1837,

and all Appointments of Inspectors of Commons, &c. made under that Act to cease.

late Majesty King *George* the Third, intituled *An Act for rendering more effectual the Laws for preventing Encroachments and the committing of Waste on Commons in this Kingdom*, whereby the Grand Jury of any County in *Ireland* in which there is a Common consisting of not less than Two thousand Acres of Land is empowered to appoint an Inspector of such Common, and such Inspector is empowered to appoint Sub-Inspectors as therein mentioned, and the Grand Jury is also empowered to appoint yearly Salaries to such Inspector and Sub-Inspectors, and in order to raise a Sum sufficient for that Purpose yearly at the Assizes for the County to present such Sum to be raised off the Occupiers of the Land surrounding such Common and mearing therewith or fronting to the same as shall be necessary for the Purpose aforesaid, and not exceeding the Rate in the said Act mentioned: And whereas it is expedient that the said last-mentioned Act should be repealed; be it therefore enacted, That from and after the First Day of *February* One thousand eight hundred and thirty-seven the said Act of the Parliament of *Ireland* passed in the Thirty-sixth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby repealed; and that from and after the said First Day of *February* One thousand eight hundred and thirty-seven all Appointments of Inspectors, Sub-Inspectors, and other Officers already made or in the meantime to be made by or under the Authority of such last-mentioned Act, and the Offices, Powers, and Authorities of all such Inspectors, Sub-Inspectors, and other Officers respectively, and all Salaries or other Allowances to such Inspectors, Sub-Inspectors, and other Officers respectively, shall cease and determine.

Explanation of Terms.

III. And be it enacted, That in the Construction of this Act the Word "Lord Lieutenant of *Ireland*" shall extend to and include any Lords Justices or other Chief Governor or Governors of *Ireland* for the Time being; and every Half Barony shall be considered and deemed a Barony; and wherever the Word "County" shall occur 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; and wherever the Word "Assizes" shall occur in this Act it shall be deemed and taken to include and import "Presenting Term"; and whenever in this Act any Authority is given to, or any Duty is directed to be performed by, any Judge of Assize, such Authority shall be understood as given to, and such Duty as directed to be performed by, the Justices of the King's Bench in *Dublin* in any Presenting Term; and every Word importing the Singular Number shall extend and be applied to several Persons, Animals, or Things as well as to one Person, Animal, or Thing; and every Word importing the Masculine Gender shall extend and be applied to a Female as well as to a Male, unless the contrary thereof shall be expressed, or that any such Construction as aforesaid shall be inconsistent with or repugnant to the Context.

Justices to hold Presentment Sessions for

IV. 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, County of a City, County of a Town, or

or City and County in *Ireland*, not being a Stipendiary Magistrate, to attend, and all such Justices are hereby required to assemble, from Time to Time, and with the Cess Payers associated with them as herein-after appointed, to hold a Special or Presentment Sessions for the Purposes of this Act, in such Place and Places and at such Time and Times, within any and every such County, as the Grand Jury of the same shall have appointed pursuant to the Provisions herein-after following.

the Purposes of this Act at the Times and Places appointed by the Grand Jury.

V. 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 (*videlicet*, One in each Barony or Half Barony,) where, and certain Times when, Presentment 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 Hours of the Day between which such Sessions shall be respectively holden; and such Presentment shall appoint the last Meeting of such Sessions to be holden at the County Court House; 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 each such Sessions shall be printed and distributed by the Secretary of the Grand Jury.

Grand Juries at Assizes to fix Times and Places for Presentment Sessions;

and may direct what Number of Copies of Applications shall be printed and distributed.

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

Only One such Sessions in Cities and Towns.

VII. 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, on the Day when the Grand Jury shall be first impannelled at each Assizes, deliver to the Secretary of the Grand Jury a Return of the Names and Places of Residence of the One hundred Persons, being Males of full Age, if so many there be, and if not, then of the whole Number of Persons resident or in actual Occupation of Lands and Tenements in each County of a Town, County of a City, or Barony, who, not being in Holy Orders nor any Minister of Religion, and not being Justices of the Peace, shall have been charged with and shall have paid for Land actually occupied by them the highest Sum or Sums for Grand Jury Rates or Cess for and in respect of any Lands in such County of a Town, County of a City, or Barony, under the last previous Applotment, and that in such List he shall set forth the Sum so paid by each such Cess Payer respectively, and shall classify them according to the Amount paid by each, and that the Secretary shall immediately lay such Return before the Grand Jury.

Collectors to make Returns of Cess Payers for Grand Jury.

VIII. And be it enacted, That every such Grand Jury as aforesaid shall at each Assizes fix and determine the Number of Persons, not being

Grand Jury to fix the Number of Cess Payers

to be associated with the Justices for the Purposes of this Act.

being more than Twelve nor less than Five, proper, with reference to the Extent and Circumstances of each County of a City, County of a Town, or Barony, to be associated with the Justices at the Presentment Sessions to be holden therein for the Purposes of this Act, and shall from the Return aforesaid make out a List of Double the Number so determined upon of Persons, with their Additions and Abode, who being Males of full Age resident and in actual Occupation of Lands or Tenements within such County of a City, County of a Town, or Barony respectively, shall according to the Return aforesaid have paid the highest Sum or Sums for Grand Jury Rates under the last previous Applotment in each such County of a City, County of a Town, or 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 Presentment Sessions to be held under the Provisions of this Act: Provided always, that at every Assizes after the passing of this Act, except the first Assizes, the Grand Jury shall before they shall make out such List strike out of the Return aforesaid the Names of One Half of the Persons whose Names appeared on the List made at the then preceding Assizes, selecting in the first instance the Names of the Cess Payers who were associated and acted with the Justices at the Presenting Sessions.

Proviso.

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

IX. And be it enacted, That at every Meeting of such Presentment Sessions the Majority of the Justices then present shall choose One of their Number to preside thereat, and that when only Two Justices shall be present the senior of them preside, and that when only One Justice shall be present such Justice shall preside; and such Chairman shall have in addition to his Vote a casting Voice in case of an Equality of Voices; 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 made out by the Grand Jury in manner before appointed for each County of a City, County of a Town, or Barony in which such Sessions shall be held, 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, or until the whole of such Names shall be drawn; 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 Power and Authority in the

Business of such Sessions: Provided always, that in the Case of any County at large the Cess Payers associated in manner aforesaid with the Justice or Justices at the Presentment Sessions holden in the County Court House shall, save and excepting the Cess Payer selected as herein-after 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 also, that in the Case of any County at large, such One of the associated Cess Payers as shall be for that Purpose selected by the Justices and associated Cess Payers at the Presentment Sessions holden in the County Court House, and such One of the associated Cess Payers as shall be for that Purpose selected by the Justices and associated Cess Payers at each of the Baronial Presentment Sessions to be holden in and for each Barony or Half Barony in such County, shall be associated with the Justices at the Presentment 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 the Justices and Cess Payers at such Sessions in respect of so much of the Business of such Sessions as shall relate to the County at large: Provided always, that if none of the Cess Payers named in the List herein-before directed to be made out by the Grand Jury shall attend any Presentment Sessions to be held under this Act it shall be lawful for such Justice or Justices alone to do all Matters and Things authorized by this Act to be done thereat by the Justices and Cess Payers associated in the Business thereof.

As to the Powers of the Cess Payers so associated.

In case Cess Payers do not attend the Justices may act alone.

X. And be it enacted, That every Justice shall previously to acting at any Presentment Sessions make and subscribe in open Court the Declaration marked (A.) in the Schedule (Z.) to this Act annexed; and that every Cess Payer associated with such Justice or Justices in manner aforesaid shall previously to acting at any such Sessions make and subscribe in open Court the Declaration marked (B.) in the Schedule (Z.) to this Act annexed; which said Declarations any one of such Justices or the Secretary of the Grand Jury is hereby authorized and required to administer; and the Chairman at each such Sessions shall and he is hereby required to make out and deliver to the Secretary of the Grand Jury of the same County a List of the Names of all the Justices and Cess Payers who shall have made and subscribed such Declarations respectively at the Sessions where he had presided; and every such Secretary shall from Time to Time, without unreasonable Delay, deliver the said List and all the Declarations so made and subscribed to the acting Clerk of the Peace, to be by him preserved among the Records of the same County.

Declarations of Justices and Cess Payers.

XI. 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 Police Station or Barrack, and at the Places (if any) appointed by the Grand Jury for posting Notices within each Parish, and a Copy thereof shall be delivered to the Clerk of the

Promulgating Notices.

Petty Sessions of the District off which it is proposed that the larger Portion of the Expence of such Work is to be raised, and to the County Surveyor and Secretary of the Grand Jury; and such Notices shall be affixed and delivered Ten Days previous to the first Day appointed for holding the Presentment Sessions at which the Application for the Work is to be made: Provided always, that when any Application shall be made by any County Surveyor for any Public Work in the Manner herein-after mentioned it shall not be necessary for such County Surveyor to post any Notice of such Application.

Application for Works where to be made.

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

Applications for Works to be charged upon Two or more Baronies.

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

Applications to be lodged with High Constable or Secretary of Grand Jury.

XIV. And be it enacted, That every Application to be made at Presentment Sessions shall be lodged with some High Constable of the County in which such Application is to be made Fifteen Days, or with the Secretary of the Grand Jury Ten Days, at least before the Day appointed for holding of the first Presentment Sessions in such County after any Assizes; and every High Constable with whom any such Applications shall be lodged shall transmit such Applications to the Secretary of the Grand Jury Ten Days before the Day appointed for holding such first Sessions; and such Secretary shall keep an Office open, for the Purpose of receiving such Applications, during

Ten Days immediately preceding the last Day upon which such Applications are required to be lodged with the Secretary, and the said Applications shall be open to public Inspection without Fee or Reward; and such Secretary shall, on the Receipt of each Application, 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 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 at the Sessions proper as herein-before provided for the Consideration of the same, together with the Abstract thereof and the Index thereto.

Secretary to arrange and number them.

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

County Surveyor may make Application respecting Public Works if none already made.

XVI. And be it enacted, That every Application to Presentment Sessions for any Presentment other than for a Public Work shall be made by or on behalf of the Person or Persons requiring such Presentment, and every Application to any such Sessions for any Public Work shall be made by Two Persons paying Grand Jury Cess, or by the County Surveyor; and every Application to Presentment Sessions, whether for a Public Work or any other Purpose whatsoever, 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 the probable Expence of the proposed Work, and whether the Money proposed to be raised thereunder is to be levied off the County at large or some or what Barony or other Denomination of Land thereof, and shall be made in some one of the Forms marked (A.), (B.), (C.), (D.), and so forth, in the Schedule (X.) to this Act annexed, when any of such Forms shall be found fitting and suitable; and every such Application shall be signed by the Person or Persons by whom the same shall respectively be made with his or their own proper Hands; and it shall not be lawful, save as herein-after provided, for the Secretary of the Grand Jury

Manner in which Applications are to be made.

Jury to receive any Application which shall not have been made in Manner and Form herein appointed.

Applications to be decided upon at Sessions.

XVII. And be it enacted, That at each Presentment Sessions to be holden as herein-before provided the Justices and Cess Payers associated in the Business of such Sessions shall take into consideration all such Applications as may be laid before them in manner aforesaid, and examine into the posting or serving of the Notices of all such Applications, when a Notice shall be necessary, and into the Merits of such Applications, and the Conformity thereof with the Provisions of this Act; and the said Justices and Cess Payers shall after such Examination decide by Majority of Voices upon every such Application, and whether the same ought to be adopted or rejected, and whether wholly or in part, or conditionally in the event of the Expence thereof not exceeding a certain specified Sum, and what Modification thereof, if any, may be proper; and if such Justices and Cess Payers shall approve of any proposed Work either wholly or in part, or conditionally, or of any Modification thereof, they shall, save in the Case of Applications herein-after otherwise provided for, direct the County Surveyor to prepare a proper Form of Tender for the Execution of the same, together with such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and, if the Sessions shall so direct, the Quantity *per* Perch and the Description of the Materials proper to be employed in performing and executing the same, and the Term within which such Work ought to be completed, and such other Particulars as the said Justices and Cess Payers shall think fit; and such Chairman shall indorse all Applications accordingly which shall be adopted and approved, 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 Application shall relate, as soon thereafter as the same can be conveniently prepared, to the Secretary of the Grand Jury; and the said Justices and Cess Payers shall appoint the Manner in which Notice for the Receipt of Tenders and Proposals for the Execution of such Works shall be given, and the Period during which they shall be received, and shall adjourn such 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 being later than Thirty Days from the Day of such Adjournment.

Justices may direct the Surveyor to prepare Specifications and Forms of Tender.

Chairman to indorse Applications adopted.

Adjourned Sessions for opening Tenders and Proposals.

Proceedings in case the Sessions refuse to approve any Applications for Public Works.

XVIII. And be it enacted, That in case the Magistrates and Cess Payers at Two successive Presenting Sessions shall refuse to approve of any Applications made for any Public Work, it shall be lawful for any of the Persons who made Application at such Sessions for such Work to present a Memorial to the Judges of Assize at the Assizes holden for the County in which such Sessions may have been holden, stating such Application and the Disapproval thereof at the Presenting Sessions, and praying that the Judges may direct the Grand Jury to make a Presentment for such Work; and such Memorial shall be lodged with the Secretary of the Grand Jury at least One

One Month before the first Day of such Assizes, and a Copy thereof shall be served on each of the Chairmen at such Presenting Sessions at least One Month before the first Day of such Assizes, and the Person presenting such Memorial shall also cause to be inserted in some Newspaper published or circulated in the County Notice of his Intention to apply at the Assizes for such Order, and such Notice shall be published at least Three Times before the first Day of such Assizes; and upon Proof that such Memorial and Notices were served and published it shall be lawful for the Judges of Assize, or any of them, to cause a Jury to be impannelled of Persons returned to serve on Juries at said Assizes, to try and inquire whether such Work is a proper one to be executed, and if so to ascertain and state the Expence thereof; and if the Jury shall find that such Work is a proper Work to be executed it shall be lawful for the Judge, if he shall think fit, to direct the Grand Jury to consider such Presentment; and it shall be lawful for the Grand Jury at such Assizes to present that such Work shall be done either for the Sum stated by the Jury to be sufficient for the Execution thereof, or such lesser Sum as they shall think proper, or to refuse to make such Presentment: Provided always, however, that no such Memorial shall be proceeded upon unless the Memorialist shall, at the Time of lodging such Memorial with the Secretary, deposit with him the Sum of Twenty Pounds, as a Security for such Costs and Expences as the Judge shall direct to be paid thereout to any Person or Persons who may appear to oppose such Application, or any Witness summoned to attend on the hearing of the Application.

If it is probable that the Expence of any Work will exceed 100*l.* the opening of the Tenders may be referred to the Grand Jury.

XIX. And be it enacted, That when the County Surveyor considers it probable that the Expence of any Work will exceed the Sum of One hundred Pounds it shall be lawful for the Justices and Cess Payers at the Presentment Sessions, if they so think fit, to order a Notice for the Receipt of such Tenders to be inserted in some Newspaper circulating in the District, and to direct that the opening of the Tenders for such Work shall not take place at the adjourned Sessions, but that such Tenders shall be opened by the Grand Jury at the Commencement of the following Assizes, and such Grand Jury shall open such Tenders accordingly, and proceed in all Matters relating thereto in the same Manner as the Justices and Cess Payers at the adjourned Sessions are herein-after directed to proceed in respect of Tenders and Contracts, and shall afterwards, in due Order, take the Application for such Work into their Consideration, in the same Manner as if the Tenders had been opened at the adjourned Sessions, any thing contained herein to the contrary notwithstanding.

Works of Maintenance.

XX. And in order to lessen the Expence of keeping public Roads in repair, and to obviate the Necessity of making frequent Applications to Presentment Sessions therefor, be it further enacted, That whenever any Application shall be made in the Manner hereinbefore provided for gravelling or repairing with small Stones any public Road, or for keeping open the Drains on the Side of any public Road, or for gravelling or repairing any Footpath on the Sides of any such Road, or for repairing the Battlements of any Bridges

upon any such Road, the Justices and Cess Payers associated in the Business of such Sessions shall consider whether it may not be proper to contract for keeping such Road or Footpath in repair, and if they shall be of that Opinion they shall fix and determine the Period, being not more than Seven Years, for which it is expedient that a Contract should be made for that Purpose, and the County Surveyor shall insert such Period in his Specification and Form of Tender for such Works.

Provision in case of Death or Illness of Applicant.

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

Advertisement for Tenders and Proposals.

XXII. And be it enacted, That the Secretary of the Grand Jury shall, upon being furnished by the County Surveyor with the Specification or Form of Tender for the Execution of any such Work as aforesaid, and the Maps, Plans, Sections, and Elevations belonging thereto, notify, by public Advertisement or otherwise in such Manner as the Justices and Cess Payers at such Presentment Sessions shall have directed, his Readiness to receive sealed Tenders and Proposals for the Execution of such Work during such Period as shall have been appointed by the same Authority for the Reception of the same, and the Time to which such Sessions has adjourned for the opening of such Tenders and Proposals, and that Forms thereof may be obtained at his Office; 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, not exceeding the Sum of Sixpence; and each of such sealed Tenders and Proposals shall contain a Statement of the lowest Sum for which the Party making such Proposal is willing to contract for the Performance of the Work or Works specified and described in such Notification, and shall be subscribed with the Name, Description, and Residence of the Party so desirous to enter into such Contract, and also the Names, Descriptions, and Residences of not less than Two sufficient Persons willing to be bound, jointly and severally, with him for the due and faithful Performance of the said Contract, within the Time and in the Manner thereby prescribed, in a penal Sum double the Amount of the said Sum mentioned in such Tenders and Proposals, if the said Sum shall not exceed One thousand Pounds, but if such Sum shall exceed One thousand Pounds, then in a penal Sum exceeding the Sum mentioned in such Tenders and Proposals by One thousand Pounds in addition thereto; and all Maps, Plans, Sections, and Specifications relating to any such Work prepared by the County Surveyor shall be open to public Inspection in the Office of such Secretary without Fee or Reward.

Contents of Tenders, &c.

XXIII. And

XXIII. And be it enacted, That at the Meeting of each such adjourned Presentment Sessions as aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged and with the Seals unbroken, all the Tenders and Proposals which may have been delivered to him, and shall open consecutively all those relating to the same Public Work, and so soon as the lowest Proposal made for the Performance of each such Work shall be ascertained the Party making such Proposal and his Sureties shall be called; and if the said Party and his Sureties shall appear, and shall satisfy the Justices and Cess Payers at such Sessions, upon Oath or otherwise, of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Nonperformance of such Contract, and that such Proposal has not been made for any unfair or fraudulent Purpose, and shall thereupon enter into Security for the due Performance of such Contract, conditioned in such Penalty as aforesaid, such Proposal shall be accepted, and the Party making the same shall be declared entitled to execute the Work to which such Proposal may refer, if the same shall be presented by the Grand Jury; but if the Party making such Proposal and his Sureties shall not appear when called, or shall fail to satisfy the Justices and Cess Payers at such Sessions in any of the Particulars aforesaid, or shall decline to enter into such Security as aforesaid, 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 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 for such Work shall be void and of no 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.

At adjourned Sessions Tenders to be opened and Contract entered into with Person making lowest Proposal.

If no Proposal made Application to be void.

If no Presentment made Contract to be void.

XXIV. 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 adjourned Presentment Sessions any Justices present or the Chairman 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 One Shilling, 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.

Security to be by Recognizance to the King.

XXV. And

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

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

Treasurer to applot the Sumrequired, and return the Applotment to the Grand Jury.

XXVI. 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.

Approved Applications for new Works where the Sum exceeds 50*l.* to be certified by Grand Jury.

XXVII. Provided always, and be it enacted, That if any such Application made at Presentment Sessions as aforesaid shall be for making any new Road, or building any new Bridge, or erecting, enlarging, repairing, rebuilding, or finishing any House or other Building, the probable Expence whereof shall exceed the Sum of Fifty Pounds, and if the Justices and Cess Payers at such Sessions 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 to be employed in performing and executing the same; and the Chairman of such 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 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 Presentment Sessions whereat such Applications hereinbefore described shall have been approved to make any Presentment thereupon.

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

XXVIII. And be it enacted, That at the first Meeting of Presentment Sessions to be holden next after the Assizes at which such Application for any of the Purposes last-mentioned shall have been so certified as aforesaid for the same 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 Justices and Cess Payers at such Sessions for their Consideration, who shall examine such Specifications, Maps, Plans, Sections, or Elevations, and such other Specifications, Maps, Plans, Sections, or Elevations as may be submitted to them, 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 Justices and Cess Payers 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 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.

The Sheriff to impannel Grand Jury not more

XXIX. And be it enacted, That every Sheriff, immediately on receiving the Precept appointing the Day for opening the Commission at the next Assizes in his Bailiwick, shall inspect the Schedules to

than Five nor less than One Day before each Assizes.

be delivered to him as aforesaid, and confer thereon with the County Surveyor or Surveyors, 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 previous 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 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 administer to each of the Grand Jurors to be impannelled as aforesaid the Oath marked (C.) in the Schedule (Z.) to this Act annexed.

Sheriff, &c. to attend and impannel the Jury.

Jurors to be sworn.

The Oath not to bind Grand Jurors to Secrecy.

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

One Freeholder or Leaseholder from each Barony to be placed upon the Grand Jury Panel.

XXXI. And be it further enacted, That from and after the Commencement of this Act the Sheriff of each County shall 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 for each Barony or Half Barony in such County (if there shall be Ten or more Baronies or Half Baronies therein) the Name of some Person having in such Barony or Half Barony Freehold Lands of the yearly Value of Fifty Pounds and upwards, or Leasehold Lands of the yearly Value of

of One hundred Pounds over and above the Amount of Rent payable out of or for such Leasehold Lands; so that as far as can be One fit and competent Person having Lands of the Value aforesaid, and resident in each Barony, if the same can be found therein respectively, shall be placed upon such Panel; and having in such Manner selected such One fit and proper Person for each Barony and Half Barony, or so many as he can so select, 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: Provided always, however, that any Presentment or Indictment formed or made by any Grand Jury in *Ireland* shall not be liable to be traversed, quashed, or in any Manner impeached by reason of the Grand Jury not being selected as aforesaid, but any Sheriff who shall wilfully omit or neglect to follow the Rules hereby made for the Selection of the Grand Jury shall be liable, on a Complaint made to the Judge of Assize, to be fined for Breach of the Provisions of this Act such Sum as such Judge shall think proper, in addition to any other Penalty or Punishment to which he may by Law be liable.

Certain County Officers not to serve on Grand Juries at Presentment Sessions.

XXXII. Provided always, and be it enacted, That it shall not be lawful for any stipendiary Magistrate, or the Treasurer of the County, or the 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, or Coroner of any County, to serve upon the Grand Jury at any Assizes, or to act as Justice or associated Cess Payer at any Presentment Sessions to be holden under the Provisions of this Act for the County wherein he shall hold such Office.

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

XXXIII. 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; 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

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 is opened; and the Fiscal Business to be concluded before the opening of the Commission;

XXXIV. 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, or 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 Crown at or before such Time, save as herein-after provided; and after opening such Commission with the accustomed Formalities the Judge of Assize 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 such Judge or Justices; 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 such other Business of a Fiscal Nature as has been herein-before directed to be concluded before opening the Commission, or the first Day of such Term, as aforesaid.

except in case of special Application made to Judge of Assize upon Cause shown;

XXXV. Provided always, and be it enacted, That it shall and may be lawful for such Judge, upon a special Application to be to him or them 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; and provided further, 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 as by this Act herein-after directed.

and in presenting for Expences of Witnesses.

Grand Jury to be called over at stated Times by Foreman.

Penalty for Default of Attendance.

XXXVI. 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 herein-before 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.

Penalty for Neglect of Foreman.

XXXVII. 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 County Surveyor or Surveyors, and shall hear and receive and direct to be read aloud in open Court the several Reports and Certificates of such Surveyor or 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 any Contract of or in respect of any of the 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 despatched before the opening the Commission shall be concluded, or until the Day appointed for opening the Commission, or the first Day of such Term, shall arrive; and if the whole of such Business shall be concluded before such Day, then the said Grand Jury may adjourn to such Day; and every such Grand Juror who shall not attend pursuant to such Adjournment shall be fined by the Judge of Assize for such Non-attendance in any Sum not exceeding the Sum of Fifty Pounds, at the Discretion of the said Judge.

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

XXXVIII. 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 made and approved at Sessions, either wholly or in part, as herein-before provided, save and

Grand Jury not to make any Presentment unless Application approved at Presentment Sessions.

and except such Presentments as may be herein specially excepted, and also save and except such Presentments as may be necessary for the immediate Repairs of sudden Breaches or Damages in Roads, Bridges, Gullets, Walls, or Buildings which have happened so recently as not to admit of the proper 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 County Surveyor, or to be by him expended, or so much thereof as may be necessary, upon such Repairs, and accounted for at the next Assizes by such Surveyor upon Oath; 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.

Appointment of County Surveyors.

XXXIX. And be it enacted, That the Lord Lieutenant 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 or Assistant Surveyors under this Act; and such Lord Lieutenant 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 each County; and it shall be lawful for the said Lord Lieutenant from Time to Time, at his Pleasure, to remove such Surveyors from County to County.

Surveyors liable to be dismissed.

XL. And be it enacted, That all Surveyors already appointed under the Law now in force, or who may hereafter be appointed under this Act, for any County, may be at any Time suspended or dismissed at the Pleasure of the Lord Lieutenant of *Ireland* or by the respective Grand Juries of such Counties; and in such Case, and on every other Vacancy, however occasioned, the said Lord Lieutenant 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; provided that 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 removeable in like Manner as his Principal.

Surveyors may appoint Deputies in case of Illness.

Salaries of County Surveyors.

XLI. And be it enacted, That the Salary of each Surveyor now appointed or hereafter to be appointed as aforesaid shall not exceed Three hundred Pounds *per Annum*, and such Salary shall, except as herein-after provided, be inclusive of all Charges and Expences which each

each such Surveyor shall incur, 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 for its own proper County, 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 past, 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 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 said Lord Lieutenant 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, 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 levied off such County and arising in the Hands of the Treasurer.

Duties of County Surveyors.

XLII. And be it enacted, That the Surveyor or Surveyors to be appointed as aforesaid shall attend at each Presentment 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 himself make such Application when necessary as herein-before directed, 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 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, or which may be given to him in charge by the Grand Jury.

XLIII. And

Surveyors shall keep an Office open, and appoint a Clerk.

XLIII. And be it enacted, That each such Surveyor shall keep an Office open for his regular Attendance on Business in such Place as the Grand Jury shall appoint, and which they are hereby required and empowered to appoint; and each such 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 such Surveyor shall be at all Times responsible; and such Grand Jury is hereby authorized and required to present, over and above the Salary payable to such Surveyor, 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; and it shall be lawful for every Surveyor to appoint so many Persons as the Grand Jury shall, with reference to the Extent of the County and of the Duties to be performed, think necessary, to be Assistants to such Surveyor; and each of such Assistants shall be paid such Salary, not exceeding Fifty Pounds *per Annum*, as the Grand Jury shall direct, which shall be presented by the Grand Jury by half-yearly Instalments at each Assizes: Provided always, however, that no Person shall be appointed such Assistant who shall not be certified by the said Board to be a fit and competent Person to discharge the Duties of such Office; and every such Assistant shall obey the Orders of such Surveyor, and be removeable in the same Manner as the Surveyor himself is.

Surveyor or Clerk not to fill any other County Office, &c.

XLIV. And be it enacted, That no such Surveyor, or his Clerk or Assistant, shall be eligible or liable to serve or act on any Jury, nor to fill any other County Office whatsoever in any County, nor take or receive any Fee or Gratuity whatsoever from any Contractor or other Person engaged in any Public Work in any County, nor for any Matter or Thing in anywise appertaining to the Duty of such Surveyor, Clerk or Assistant, nor be or become in any Manner directly or indirectly interested in any Contract for the Performance of any Work presented or to be presented by any 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, Clerk or Assistant, shall be or become in any Manner directly or indirectly interested shall be absolutely void, and the Surveyor, Clerk or Assistant, so interested, shall forfeit Fifty Pounds, to be recovered, with full Costs of Suit, by any Person who shall sue for the same.

Appointment of Secretary of the Grand Jury.

XLV. And be it enacted, That it shall be lawful for every Grand Jury to appoint a proper Person, duly qualified according to the Laws now in force, to act as their Secretary; and every Secretary of the Grand Jury now appointed, or who shall be appointed hereafter under the Provisions of this Act, shall continue to act as such until he shall be removed by the Grand Jury, or until another Person duly qualified shall be in like Manner appointed; and if any Person appointed Secretary shall happen to die, or be unable from Illness to do the Duty,

Duty, the Clerk of the Peace or his known Deputy is hereby required to act as such until the last Day of the ensuing Assizes, or (in case of the Illness of the Secretary) until such Secretary shall be able to resume his Duty; and for the performing all and singular the Duties of such Secretary such Clerk of the Peace or his said Deputy shall be entitled to receive a rateable Proportion of the Salary of such Secretary for the Time during which he shall have performed such Duties: Provided always, however, that it shall not be lawful to appoint or continue joint Secretaries, or more than One Person as Secretary in any County.

Such Secretary not to be a Clerk of the Peace, &c.

Penalty on such Secretary for Neglect of Duty.

XLVI. And be it enacted, That it shall not be lawful for the same Person to be appointed after the passing of this Act Secretary of any Grand Jury and Clerk of the Peace, or Clerk of the Crown, or Treasurer of any County, or Collector of Grand Jury Cess, or Inspector of Gaols; and in case the Secretary of any 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, and no Presentment shall be made of any Salary to him.

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

All Works, Printing, &c. to be executed by Contract.

All Contracts to be by sealed Tenders and Proposals.

No County Officer, &c. eligible to contract.

XLVII. 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 any Public Work, to name or appoint therein any Person or Persons to execute the same, save and except in case of sudden Damage or Injury under the Provision herein-before made in that Behalf; but all Works, save as aforesaid, and save and except in the Case of such Repairs as may be executed pursuant to the Order of Two Justices, as herein-after specially provided for, which shall be presented by any Grand Jury shall be executed and performed by Contract; and all Printing for which any Grand Jury shall be authorized to make Presentment shall also be executed by Contract; and every Contract, whether for any Work, Printing, or other Purpose whatsoever, shall be made by sealed Tenders and Proposals, to be delivered, opened, and dealt with, and Security to be taken, in manner herein-before provided; and no Contract shall be entered into save upon and after Application made and approved at Presentment Sessions; and the Functions of every Grand Jury shall in respect of all Applications to be made at any Presentment Sessions be limited to the Approval or Rejection of the same as approved or modified by such Sessions, and to the Presentment or annulling thereof accordingly: Provided nevertheless, that no Magistrate of the County or Cess Payer shall undertake or be interested in any Contract under this Act for any Work approved of or applied for at any Sessions at which he shall act or be capable of acting as a Justice or associated Cess Payer, nor shall any County Officer, or any Person in his Employment, undertake or be interested in any Contract under this Act; 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.

XLVIII. And

Secretary to keep a Book containing Abstracts of Contracts.

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

Any Two Justices may order Sums not exceeding 20*l.* for repairing sudden Damages to Bridges, and 10*l.* to Roads, &c.

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

Presentment for widening or repairing public Roads.

L. And be it enacted, That it shall and may be lawful for any Grand Jury to present any Part of any public Road to be widened to any Breadth not more than Fifty Feet in the clear, or to narrow such

Roads as the Surveyor may report to be unnecessarily wide, and to present all such Sum or Sums of Money as shall be necessary for widening and fencing the same, or for gravelling, macadamizing, paving, fencing, repairing, or otherwise improving any Part of any public Road, or for filling up Grips or Trenches on the Sides of any public Road, and making sufficient Fences instead thereof, or for filling Dikes or Holes on the Sides of any public Road, or for making, widening, or deepening Drains on the Side of any such Road, and carrying off the Water therefrom, to be levied off the Barony, County of a City, or County of a Town where the same shall be situate: Provided always, that when such public Road shall be any Road upon which His Majesty's Mails are or shall be carried in Mail Carriages, one Half of such Sum or Sums of Money as shall be necessary for any of the Purposes aforesaid shall be presented to be levied off the County, and the other Half off any Barony or Baronies in which such Road or any Part thereof is or shall be situate.

Proviso in case of Post Roads.

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

Presentment for making and repairing Footpaths.

LII. And be it enacted, That it shall and may be lawful for the Grand Jury of any County to present any public Road within such County, or any Part of such public Road, or any Footpath upon the Side of such Road, to be gravelled or repaired with broken Stone, or the Battlements of any Bridge upon such Road to be kept in sufficient Order and Repair, by Contract for any Space of Time not exceeding Seven Years, and also from Time to Time to present such Sum or Sums of Money as shall be necessary for the Execution of any of the above-mentioned Works, and the Payment of the Person or Persons with whom such Contract for the Execution of the same shall have been made, to be levied or raised off any Barony, County of a City, or County of a Town in which such Road may be locally situate, and when it passes through more than One Barony then proportionately on each Barony: Provided always, that in the Case of any Road upon which His Majesty's Mails are or shall be carried in Mail Carriages One Half of the Expences of such Repairs shall be levied off the County, and the other Half off any Barony or Baronies in which such Road or any Part thereof may be locally situate.

Presentment of Roads, &c. to be repaired by Contract for any Time not exceeding Seven Years.

Levy for Payment.

LIII. And whereas certain Contracts for keeping Roads in repair have been entered into under the Provisions of an Act passed in the Third and Fourth Years of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Grand Juries in* Ireland; and Doubts have been entertained whether such Contracts, being made for a Term longer than One Year, are valid; and it is expedient to remove such Doubts; be it enacted, That every Contract

For removing Doubts as to Contracts made under 3 & 4 W. 4. c. 78.

Contract to keep a Road in repair entered into under the said Act for any Term still unexpired which did not exceed Seven Years shall be deemed to be a valid Contract for the Residue of such Term, and every Security entered into for the due Performance of such Contract shall be binding and valid in Law as fully as if such Contract might have been legally made under the Provisions of the said Act.

County Surveyor to cause Roads to be repaired in case of Neglect on the Part of Contractor.

LIV. Provided always, That in case it shall appear to the County Surveyor at any Time during the Continuance of any Contract now made or hereafter to be made for keeping any Road in repair that such Road is not in proper Repair, he shall require the Contractor to put the same in repair, and if such Contractor shall neglect to do so within Ten Days after he shall have been so required, such Surveyor shall cause the same to be repaired, and the Expence thereof shall be deducted and repaid out of the Sum which would be payable to such Contractor if the Road had been kept in proper Repair.

Presentment for new Lines of Road to be levied on the Barony;

in case of Post Roads on the County and Barony.

Map of the Line to be lodged with Secretary along with Application.

Service of Notices upon Occupiers of Land.

LV. And be it enacted, That it shall and may be lawful for the Grand Jury at any Assizes to present any new Road to be laid out and made of any Width not less than Sixteen Feet nor more than Fifty Feet in the clear, and to present all such Sum and Sums of Money as shall be necessary for laying out, or for forming, levelling, and draining, or for gravelling, paving, and making the same, and also for making Fences thereto, to be levied on the Barony or County of a City or County of a Town in which the same shall be situate, and when it passes through more than One Barony then proportionately on each Barony; unless such new Line of Road shall be one upon which it is intended that His Majesty's Mails shall be carried in Mail Carriages, in which Case it shall and may be lawful for the Grand Jury to present One Half of all such Sums of Money as shall be necessary for any of the Purposes aforesaid to be levied off the County, and the other Half off any Barony or Baronies through which such new Road shall pass: Provided always, that no Presentment shall be made for laying out any such new Road unless together with the Application therefor a Map of such intended new Road has been lodged with the Secretary of the Grand Jury Ten Days at least before the Day for holding the first Presentment Sessions after each Assizes in such County, and that a Notice setting forth that an Application is intended to be made for a Presentment to lay out such new Road (distinguishing the several Townlands and Baronies through which it is intended to be carried, with the Number of Perches in Length through each Townland,) has been personally served upon or left at the House of each Occupier of the Land through which such new Road is intended to be made Fifteen Days at least before the Day of holding such Sessions, nor unless it shall appear that no Part of such new Road is to be made through any Deer Park inclosed with a Wall built of Lime and Stone or Bricks, Five Feet high or more, without the Consent of the Owner thereof, and that no Part thereof is to be made through any House entirely built with Lime and Stone or Bricks, or through any Office belonging to any Person inhabiting a House so built, without the Consent of such Person.

LVI. And

Presentment for lowering Hills, filling up Hollows, building and repairing Bridges, &c. upon public Roads.

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

Where a River or Road is the Boundary of Two Counties, only One Half the Sum shall be raised off either.

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

Lines of new Road may be surveyed upon Certificate of Surveyor allowed by Two Justices.

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

Penalty for using new Road for certain Time after making.

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

Presentment of old Roads to be stopped up.

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

Commissioners of Public Works, on Application of Postmaster General, and with Consent of Lord Lieutenant, to cause Post Roads to be repaired.

LXI. And whereas it is expedient that Provision should be made for the more speedy and effectual Repair of Roads in *Ireland* upon which His Majesty's Mails are carried; be it therefore enacted, That it shall be lawful for the Commissioners acting under and in execution of an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, upon the Application of His Majesty's Postmaster General for the Time being, setting forth and describing the Line of any such Road or the Portion of any such Road which may stand in need of repair, by and with the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to cause such Road or such Portion thereof as shall be described in such Application, and any or every Bridge, Arch, or Pipe, Gullet or Wall thereon, to be put forthwith into good and sufficient Repair accordingly, under the Superintendence of the County Surveyor in every County except the County of *Dublin* and County of the City of *Dublin*, and in each of those Counties under the Superintendence of a Surveyor appointed by them; and that upon the Application of the said Commissioners, setting forth what Sum will be requisite and necessary from Time to Time for the Purposes aforesaid, it shall and may be lawful for the Lord Lieutenant of *Ireland* to direct by his Warrant that the Sum or Sums of Money so required by the said Commissioners shall be advanced and paid to the said Commissioners out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to be applied under the Directions of the said Commissioners in manner aforesaid.

Amount of Money expended in such Repairs to be certified to the Grand Jury of the County, who shall present the same.

LXII. And be it further enacted, That whenever any such Road or Bridge, or any Portion thereof, not being a Turnpike Road or Bridge, shall be so put in good and sufficient Repair, under the Direction of the said Commissioners, the Secretary to the said Commissioners shall deliver or cause to be delivered to the Secretary of the Grand Jury of any and every County within which any such Road or Bridge, or any Portion thereof, shall be situate respectively, a Certificate of the Amount of Money which shall have been so expended upon the Repair of any such Road or Bridge or any Portion thereof, and the other Expences aforesaid, within any and every such County respectively, together with an Account of the Items of such Expenditure, certified by the said County Surveyor or other Person employed, and every such Certificate and Account shall at the next or some succeeding Assizes be laid before the Grand Jury of any and every such County respectively, and thereupon the Grand Jury of any and every such County respectively shall make Presentment of the Amount of such Expences as stated in such Certificate,

to be raised off such County at large, Barony or Half Barony, previously chargeable with the Maintenance of such Road or Bridge; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any and every such County respectively, he shall pay over the same to such Bank or Person as the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, shall direct, or to such Person or Persons and in such Manner as may be directed by the Vice Treasurer of *Ireland*.

Expence of repairing Bridges between Counties to be borne equally.

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

Proceeding in case of Grand Jury refusing or neglecting to make Presentment.

LXIV. And be it enacted, That if at any Time hereafter it shall appear from a Memorial signed by Twenty Cess Payers in any Barony that the Grand Jury of any County has twice refused to present for the making or repairing of any Road in such Barony, and that by reason thereof the Inhabitants of such Barony are aggrieved, it shall be lawful for the Lord Lieutenant to refer such Memorial to the Commissioners of Public Works to examine into the Truth of the Allegations therein contained, and to report thereon, and particularly to report whether it is necessary for the public Convenience that such Road should be repaired or made, and what would be the Expence thereof; and thereupon it shall be lawful for the Lord Lieutenant, if he shall think fit, to refer such Report to the Grand Jury of the County at the next Assizes; and such Grand Jury may thereupon, if they shall think fit, present that such Road shall be made or repaired in such Manner as shall be recommended by the Report of the said Commissioners, and that the Sum necessary for that Purpose shall be raised off the County or any Barony or Baronies thereof in such Proportions as they may think proper; and in case they shall refuse or neglect to make any such Presentment, it shall be lawful for the Lord Lieutenant to direct the said Commissioners to cause such Road to be made or repaired, and the Expence thereof shall be certified by them to the Lord Lieutenant, who shall cause such Certificate to be laid before the Grand Jury of the County, and such Grand Jury shall and they are hereby required to present the Amount thereby certified to be levied off the County at large in which such Road may be situated, and to be repaid to such Commissioners by such Instalments as the Lord Lieutenant shall think fit to direct.

If Road repaired is Turnpike, Expences of Repair to be charged on the Tolls.

LXV. And be it further enacted, That in case any Road so repaired, or any Part thereof, shall be a Turnpike Road, the Sum certified to have been expended on the Repair thereof as aforesaid shall become and be a Charge on the Tolls payable on such Road, in preference to and prior to any other Charge thereon, and shall be repaid to the said Commissioners or any Person appointed by them out of such Tolls; and every Collector of such Tolls shall, until the Sum so advanced shall be repaid, pay to the said Commissioners all Sums collected by or paid to him for such Tolls; and it shall and may be lawful for the said

Receiver of Tolls to be appointed.

said Commissioners to apply in a summary Way, by Petition, to any Court of Equity in *Ireland* to appoint a Receiver of such Tolls, and such Court shall accordingly appoint such Receiver, on its appearing, by such Certificate or otherwise, that any Part of the Sum advanced for the Repair of such Road is due, and shall continue such Receiver until by Receipt of such Tolls or otherwise the Sum so due and the full Costs of such Proceedings shall be repaid, after allowing for the necessary Expenditure by the said Commissioners in the meantime in keeping such Road in repair.

Presentment for obtaining correct Maps of Alterations of County Roads.

LXVI. And be it enacted, That it shall and may be lawful for the Grand Jury of any County, on the Publication of the Ordnance Trigonometrical Survey, to present, for the Maps thereof to be mounted, in Baronies or otherwise, as may by them be deemed best, a Sum not exceeding the Rate of Ten Pounds for every Thirty-five thousand Acres, to be levied off the County at large; and it shall and may be lawful for the Grand Jury of any County at the End of every Ten Years from the Date of the Publication of the Ordnance Survey of such County to present a Sum not exceeding the Rate of Twenty Pounds for every Fifty thousand Acres, to be levied off the County at large, for obtaining a correct Survey and Map containing all the Alterations made in the Roads of such County since the then last preceding Survey.

Presentment for constructing, repairing, &c. Piers and Quays on navigable Lakes or Rivers, and making Approaches, &c.

LXVII. And be it enacted, That it shall and may be lawful for the Grand Jury of any County to present, to be levied off such County, for the Erection of any Pier or Quay, or for the repairing or enlarging of any existing Pier or Quay, on the Banks of any Navigable River or Lake or on the Sea Coast, or for the making or repairing of any Road or Approach to any such Pier or Quay, or for deepening or embanking any such River or Lake, in such County, any Sum or Sums of Money not exceeding in the whole the Sum of Three hundred Pounds, nor exceeding Two Thirds of the whole Sum at which said Work has been contracted for: Provided always, that no Sum or Sums of Money shall be presented for the Erection of any Pier or Quay, or the making any Roads or Approaches thereunto, until the Person or Persons making Application therefor at the County Presentment Sessions shall have paid into the Hands of the County Treasurer a Sum equal to the One Third Part of the whole Sum at which said Work has been contracted for, and such Payment shall have been certified to the Grand Jury by the said Treasurer's Receipt, nor unless the Consent in Writing, under the Hand and Seal of the Owner or Owners in Fee, or of the Person or Persons having a Lease of Lives renewable for ever, or a Term of Years of not less than Ninety-nine to come and unexpired at the Time of making such Presentment, of or in the Lands on which the said Work is to be constructed, shall have been lodged in the Office of the said Treasurer Six clear Days before the Assizes at which the Application for such Presentment is to be considered.

Such Piers or Quays to become public Property.

LXVIII. And be it enacted, That every Pier or Quay which has been or may hereafter be built or enlarged by Presentment of any Grand Jury upon any Navigable Lake or River or on the Sea Coast, pursuant

pursuant to the Provisions of this or any other Act of Parliament, shall be deemed and become public Property.

Presentments for building, repairing, &c. Court Houses and Sessions Houses.

LXIX. And be it enacted, That it shall and may be lawful for the Grand Jury of any County to present such Sum or Sums of Money, to be raised off such County, as shall be necessary for building, rebuilding, enlarging, repairing, altering, or fitting up any Court House or Sessions House therein; and whenever any Presentment shall be made for any of such Purposes, or any other Public Works, and the Sum necessary to be raised for the same shall be greater than it may be proper to levy off such County at one Time, then and in every such Case it shall be lawful for such Grand Jury to present in the first instance the whole Sum required for such Purpose, and to direct in and by such Presentment that the same shall be raised on such County by such Half-yearly Sums or Instalments, and in such Proportions, as to such Grand Jury may seem expedient, and the same shall be so raised accordingly: Provided always, that it shall be lawful for any subsequent Grand Jury to present that any of the said Instalments shall be increased to any Sum that shall be found necessary or proper.

Expences may be raised by half-yearly Instalments.

If Sessions are directed to be held in any Place where there may not be a Sessions House, the Surveyor to prepare Specifications, Plans, &c.

LXX. And be it enacted, That in case at any Time hereafter the Lord Lieutenant shall direct that a Quarter Sessions of the Peace or any Adjournment thereof shall be holden for the Despatch of Civil or Criminal Business in any Town or Place in which there may not be a Sessions House, the Surveyor of the County shall, on being required by the Lord Lieutenant so to do, prepare such Specifications, Maps, Plans, Sections, and Elevations as may be necessary for the Erection of a Sessions House therein, expressing the Nature and probable Expence of the Works and the Materials proper to be employed, and the same shall be delivered to the Secretary of the Grand Jury, who shall lay the same, together with a Copy of the Warrant of the Lord Lieutenant, before the Grand Jury at the Assizes next after the Time at which he shall receive the same, and the Grand Jury shall examine such Specifications, Maps, Plans, Sections, and Elevations, and such others as may be laid before them, and either adopt the same or make such Alterations therein as they may think proper, or reject the same, and shall present that a proper and sufficient Sessions House shall be provided or built in such Town or Place within the Period of One Year from such Assizes, and that a Sum not exceeding One thousand Pounds shall be levied off the County for that Purpose at one Time or by Instalments to be completed within the Period of Five Years, and the Surveyor shall thereupon prepare a proper Form of Tender for the Execution of such Work, and shall deliver the same to the Secretary of the Grand Jury, who shall lay the same, together with the Presentment, and the Specifications, Maps, Plans, Sections, and Elevations, as approved of by the Grand Jury, before the next Presentment Sessions holden for the County at large, who shall direct within what Period before the Day to which such Sessions may be adjourned Tenders for the Execution of the Works shall be received; and any Tenders that shall be made for the Execution of such Works shall be opened at the first Adjournment of such Sessions, and dealt with in all respects

Grand Jury to examine them, and if they think proper present that a Sessions House shall be built, and a Sum levied off the County for that Purpose.

in like Manner as any other Tender for a Work approved of and presented is: Provided always, that if such Presentment shall not be made, and a valid Contract for executing such Work shall not be entered into, within the Period of Two Months from the Assizes at which such Warrant shall have been laid before the Grand Jury, it shall be lawful for the Lord Lieutenant to direct the Commissioners of Public Works in *Ireland* to build or provide such Sessions House, and on the Production to the Grand Jury at any Assizes of the Certificate of the Secretary of such Commissioners that a Sum not exceeding the Sum of One thousand Pounds has been expended in building such Sessions House and purchasing a Site for the same, or for either of such Purposes, the Grand Jury shall and they are hereby required to present the Sum so certified to be levied off such County in one Payment, and to be paid to the Secretary of the said Commissioners in satisfaction of the Sum so expended: Provided further, that in case the said Commissioners of Public Works shall find it convenient to take a Lease of any Premises for the Purpose of building such Sessions House thereon, they shall be at liberty to do so, and to engage to pay an annual or other Rent for the same, not exceeding the Sum of Fifty Pounds *per Annum*, and the Grand Jury shall and they are hereby required from Time to Time to present a Sum equal to the Amount of such Rent to be levied off the County and paid in discharge of the same.

If no Presentment made Lord Lieutenant to direct Commissioners of Public Works to build Sessions House.

Grand Juries may advertise for Specifications, &c.

LXXI. And be it further enacted, That it shall and may be lawful for the Grand Jury of any County to advertise in the public Newspapers for Specifications, Maps, Plans, Sections, and Elevations from professional Architects for the Erection, Alteration, and Repair of such Buildings as may be required for the public Use of the County, and to present a Sum not exceeding Fifty Pounds as Remuneration to the Architect whose Plans shall be approved of, and to employ such Architect, should they judge it necessary, in superintending the Work to be executed pursuant to his Plan, on such Terms as may be determined by the Grand Jury.

Presentment for Purchase of Sites for Court Houses and Sessions Houses.

LXXII. And be it enacted, That whenever any Presentment shall be or has been made for the Purpose of building a new or enlarging any Court House or Sessions House in and for any County, it shall and may be lawful for the Grand Jury of such County to authorize such Commissioners as such Grand Jury shall appoint to contract and agree with any Person or Persons, or Body or Bodies Corporate or Politic, for the purchase or renting of any Houses, Buildings, Lands, Tenements, or Hereditaments convenient for the Site of any new Court House or Sessions House, or adjoining to any old Court or Sessions House, and convenient for the Purpose of enlarging the same or the Courts or Outlets thereunto belonging; and the Lands, Tenements, or Hereditaments so contracted or agreed for shall be demised or conveyed to such Commissioners, and to their Heirs, Executors, Administrators, and Assigns, in Trust for the Uses and Purposes aforesaid; and such Commissioners shall be appointed, and such Demise or Conveyance made, in such Manner and under such and the like Rules and Regulations as are prescribed in an Act made in the Seventh Year of His late Majesty's Reign, intituled *An Act for con-*

Lands purchased to be conveyed to Commissioners.

7 G. 4. c. 74.

consolidating and amending the Laws relating to Prisons in Ireland, with respect to the Appointment of Commissioners and the demising and conveying of any Lands, Tenements, or Hereditaments to such Commissioners under that Act: Provided always, that in case such Commissioners shall be unable to agree with the Owners of any Lands, Tenements, or Hereditaments proper or necessary to be purchased for the Purposes of any such Presentment, and if the Grand Jury by which such Presentment shall have been made or any subsequent Grand Jury shall direct that the same be purchased or rented by and under the Valuation of a Jury, it shall and may be lawful to and for the Commissioners appointed as aforesaid, or any Three or more of them, to issue their Warrant to the Sheriff in the Manner directed by the said Act of the Seventh Year of His late Majesty's Reign, and thereupon such and the like Proceedings shall and may be had and taken for summoning, impannelling, and swearing Juries, and valuing the Premises so directed to be purchased or rented, and each and every Part thereof respectively, and for obtaining the full Possession and Seisin thereof and a good Title thereto in the said Commissioners, and with and subject to all the same Rules, Regulations, Conditions, and Jurisdictions, as in the said Act provided concerning any Premises to be purchased by such Valuation under the aforesaid Act of the Seventh Year of His late Majesty's Reign, and the said Commissioners shall in that Behalf have, possess, and exercise all and every the like Powers and Authorities as by the said Act are granted to and vested in the Commissioners therein mentioned; and it shall be lawful for any such or any subsequent Grand Jury to present the Sum so agreed upon or fixed as the Purchase Money of such Premises, and the Costs attending such Purchase, to be levied off such County, either at one Time or by half-yearly Instalments, in such Manner as they may think proper, and such Presentment may be made without any previous Application to any Presentment Sessions.

When Purchases are directed to be made under Valuation of a Jury, Commissioners may issue their Warrant to the Sheriff, and the same Proceedings shall take place as directed by recited Act.

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

Presentment for Rents of Court and Sessions Houses.

LXXIV. And be it enacted, That whenever any Court House of or for any County at large shall have been built or enlarged pursuant to the Provisions of this or any other Act of Parliament, then if such Court House or the Additions so then made thereto shall be within a County of a City or County of a Town wherein the Assizes or Commissions of Oyer and Terminer and General Gaol Delivery for such County have usually sat or been held, every such Court House which shall have been so built or enlarged, and all Additions so thereto made and Appurtenances therewith occupied, shall be deemed and taken to be Part and Parcel of the County at large for which the same shall have been so built or enlarged as aforesaid: Provided always, that whenever such Tenement shall cease to be a Court House, whether by

Court House for County at large built within a County of a City, &c. to be deemed Part of the County at large.

by reason of the building a new Court House or otherwise, then and from thenceforward such House and the Site and Appurtenances thereof shall be and be deemed and taken to be Part and Parcel of the County of the City or County of the Town within which the same shall be so locally situate.

Commissioners may sell old Court Houses.

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

Proceeds to be applied to County Purposes.

Presentment for Fuel for Court House.

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

Presentment for Rent of Petty Sessions Room.

LXXVII. And be it enacted, That it shall be lawful for the Grand Jury of any County to present, for each of the Places wherein Petty Sessions shall be appointed to be held, an annual Sum not exceeding Ten Pounds, to be raised off such County, for the Rent of a Room or Rooms for the holding of Petty or Special Sessions thereat, and of a Lock-up Room or House, provided that such Room or Rooms shall not be in a House where spirituous or fermented Liquors are sold, nor in any Police Barrack, nor in any other Building maintained either wholly or in part at the Public Expence; and provided that whenever

whenever a public Court House shall have been built and provided at any Place so appointed no such Presentment shall be made, but the Petty and Special Sessions shall be holden in such public Court House, and not elsewhere: Provided also, that it shall be proved to the Satisfaction of the County Presentment Sessions, where Application shall be made for such Rent, that Six Meetings of Justices during the Six Months immediately preceding such Application shall have been held in such Room or Rooms.

Grand Juries may present for Sums not exceeding 1,000*l.* to be paid as Consideration for Surrenders of Leases.

LXXVIII. And whereas Leases have been made from Time to Time of Premises for the Purpose of erecting Court Houses thereon, and for other public Purposes, and it may be expedient to surrender such Leases and thereby relieve the County from the Payment of an annual Rent; be it therefore enacted, That it shall be lawful for any Grand Jury, without any previous Application to a Presenting Session, to present that any Sum not exceeding One thousand Pounds shall be raised off any County, and paid to the Lessor in any Lease of Premises held for any public Purposes, or the Representatives of such Lessor, as a Consideration for accepting a Surrender of such Lease.

Presentment for Session House Keepers and Interpreters.

LXXIX. And be it enacted, That it shall and may be lawful for the Grand Jury of any County to present, without any previous Application at Sessions, to be levied off such County, any Sum not exceeding Four Pounds at each Assizes as a Salary or Payment for the Keeper of any Sessions House belonging to such County where the General Quarter Sessions of the Peace are held, and any Sum not exceeding Five Pounds at each Assizes for an Interpreter at such Assizes, if such Payment shall be recommended by the Court.

Presentment for Gallows, Milestones, &c.

LXXX. And be it further enacted, That it shall be lawful for any Grand Jury as aforesaid to present, to be raised off the County at large, any Sum or Sums of Money for making or repairing a Gallows, or for Bolts and Shackles, not exceeding in the whole in any One Year the Sum of Twenty Pounds, and also for erecting or repairing Direction Posts, Milestones, Mile-posts, or Depôts for Materials, not exceeding One Pound for each Direction Post, Milestone, Mile-post, or Depôt.

Presentment for Support of Fever Hospitals and Dispensaries established by Subscription.

LXXXI. And be it enacted, That where any Fever Hospital or Dispensary for the Purpose of furnishing Medicine and affording Medical and Surgical Aid to the Poor of any City, Town, or Place in any County is now or shall be hereafter established in such County by private Subscriptions or Donations, and a Certificate of the Sum or Sums of Money actually received by the Treasurer of such Fever Hospital or Dispensary from private Subscription or Donation since the last Application to Presentment Sessions, or since the Establishment of such Fever Hospital or Dispensary, and a Statement of the Number of Persons admitted or relieved, together with an Account of the Receipt and Disbursement of all Monies raised by virtue of any Presentment for such Fever Hospital or Dispensary, as well as of all Monies actually received from private Subscription or Donation for the Use of such Fever Hospital or Dispensary since

the Date of such last Application or Establishment, shall have been laid before the Presentment Sessions ensuing the Disbursement thereof, and such Certificate and Account, verified upon the Oath of such Treasurer, shall, together with the Application for a Presentment for such Fever Hospital or Dispensary, have been allowed and approved of at such Sessions, it shall be lawful for the Grand Jury of such County at any Assizes, and they are hereby required, to present, to be raised off such County, in case of a Fever Hospital, a Sum not exceeding Double the Amount, and, in the Case of a Dispensary, a Sum equal to the Amount of such private Subscriptions or Donations so received, to be paid to the Treasurer of such Fever Hospital or Dispensary, and applied (under the Direction of the Subscribers of any annual Sum of not less than One Guinea, or such Committee of them, not fewer in Number than Five, as they shall appoint for that Purpose at any General Meeting of such Subscribers), together with the Monies received by private Subscription and Donation, in fitting up and supporting such Fever Hospital or Dispensary, and in providing Medicine and Medical and Surgical Aid for the Poor of such Place and its Neighbourhood: Provided always, that when any Fever Hospital shall be attached to any Dispensary, the Treasurer of the same shall separate the Accounts of the Receipts and Expenditure of each such Fever Hospital and Dispensary, and the Application for Presentments for each shall be separate and distinct; and provided also, that no such Presentment shall be made unless it shall appear by the Certificate of such Treasurer, verified as aforesaid, that the Medical Attendant, if appointed after the passing of this Act, resided since the Creation of such Dispensary or Hospital, or since the last Assizes (as the Case may be), at or within Five Statute Miles of such Dispensary or Hospital; and provided also, that no such Presentment shall be made in case it shall appear that the Salary of the Medical Attendant during the last Year amounted to One Half of the Sum to which the Subscriptions, Donations, and the Sum presented would amount.

Accounts of Hospital and Dispensary to be separate.

Presentment for Erection of Fever Hospitals not to exceed Double the Amount of private Subscriptions.

LXXXII. And be it further enacted, That whenever it shall be made appear, by Statement on Oath to the Grand Jury of any County, that there has been actually received from private Subscriptions or Donations any Sum or Sums of Money for the Purpose of erecting any House to be applied to the Reception of Fever Patients, and either connected with any Local Dispensary or not, as the Case may happen, and upon a Certificate by One or more Physicians that there is a Necessity for providing Accommodation for such Patients, it shall and may be lawful for such Grand Jury, and they are hereby required, to present, to be raised off such County, any Sum not exceeding Double the Amount of the Sum or Sums so raised by Donation or Subscription, and actually received by the Treasurer, to be applied, together with the Monies so received by private Donation or Subscription, in erecting such House for Fever Patients, in such Manner as the Subscribers of any Sum not less than One Guinea, or such Committee of them not fewer than Five, as they shall appoint for that Purpose at any General Meeting of such Subscribers, shall in their Discretion deem most advisable: Provided always, that the Affidavit and Certificate herein mentioned shall, together with the Application for such Presentment,

have also been laid before the Presentment Sessions and approved thereat: Provided also, that it shall and may be lawful for the Grand Juries of the County of *Cork* and County of the City of *Cork* respectively, if they shall think proper, to present for the Support and Maintenance of the Fever Hospital or House of Industry or Lunatic Asylum in the City or County of *Cork* at any Assizes any Sum not exceeding the Sum presented for the Support or Maintenance of such Establishments respectively at any Assizes during the last Five Years.

Presentment for Support of County Fever Hospitals.

LXXXIII. And be it enacted, That where any Fever Hospital has been or shall be established in and for any County it shall and may be lawful for the Grand Jury of such County to present such Sum or Sums of Money, not exceeding the Sum of Two hundred and fifty Pounds at each Assizes, as shall appear to be necessary for the Support of any such County Fever Hospital, and such Sum shall be raised off the County at large, and levied and applied accordingly: Provided always, that an Account of the Receipt and Expenditure of such Fever Hospital, from the Time of its Establishment to the Time of the first Presentment required, and afterwards from the Time of each Presentment required till the Time when any further Presentment is required, shall, together with an Application for the Sum so proposed to be presented, be laid before the Presentment Sessions to be holden under this Act for the Purpose of considering Applications for Presentments, and that such Account and Application shall be approved at such Sessions.

Account of Receipt and Expenditure to be laid before Sessions.

Presentment for building or repairing County Fever Hospital;

LXXXIV. And be it enacted, That it shall be lawful to and for the Grand Jury of any County in which a Fever Hospital shall not have been erected before the passing of this Act, or in which it shall be made appear to the Satisfaction of the Grand Jury that any Fever Hospital requires to be enlarged, repaired, or rebuilt, to present at any Assizes for such County any Sum or Sums of Money for the Purpose of erecting, establishing, hiring, repairing, and fitting up One Fever Hospital in any such County in which no such Hospital shall have been previously established, or for the Purpose of enlarging, repairing, or rebuilding any Fever Hospital which shall have been previously established, and to set forth in such Presentment that the Sum therein mentioned shall be raised and levied within the Period of Six Years by half-yearly or yearly Instalments; and also to set forth in such Presentment what Part thereof shall be raised upon any Barony or Baronies in any such County, or on the County at large; and that the Treasurer of any such County shall from Time to Time, without further Authority or Presentment in that Behalf, insert in his Warrant at each Assizes the Portion or Portions so set forth of the Sum so presented, and the same shall be raised and levied in like Manner from Time to Time, and with the like Remedy in case of Nonpayment, as all other Money directed by such Warrant is by Law to be levied; and when and so soon as such Presentment shall have been duly certified by the acting Clerk of the Crown to the Lord Lieutenant of *Ireland* it shall and may be lawful to and for such Lord Lieutenant to direct the Amount of such Sum of Money so presented, or any Part thereof, to be advanced out of the growing Produce of the Consolidated

to be raised by Instalments in Six Years.

Presentment being certified to Lord Lieutenant he may direct Advance of Money.

Consolidated Fund in *Ireland* to the Treasurer of such County, to be applied for the Purposes for which such Presentment shall have been made under such Rules and Regulations as to such Lord Lieutenant shall seem fitting and expedient; and such Money so advanced and paid by such Treasurer shall be accounted for by him in like Manner as any other Monies received by him for the Use of such County, and all Securities given by him or in his Behalf shall extend to such Money; and such Treasurer shall from Time to Time pay to such Bank or Person as the Lords Commissioners of the Treasury shall direct all such Sums as shall from Time to Time be received by him from the baronial or other Collectors by virtue of the Presentment, on account of which such Money shall have been advanced, until the whole Sum advanced shall be repaid.

Treasurer to repay Money so advanced.

Presentment for the Maintenance of a County Infirmary.

LXXXV. And be it enacted, That it shall be lawful for the Grand Jury of any County at each Assizes to present to be raised off such County (whether there be or be not any special Provision in any Act of Parliament relative thereto) Sum not exceeding Seven hundred Pounds, to be paid to the Treasurer of the Infirmary of such County, and applied to the Support and Maintenance of such Infirmary: Provided always, that, together with an Application for such Presentment, a Certificate under the Hand of the Physician or Surgeon of such Infirmary, stating the Number and Names of Patients, as well extern as intern, received and relieved since the preceding Application, and also a true Debtor and Creditor Account of the Funds and Expences thereof, commencing from the Time of the preceding Application, attested by the Signature of the Treasurer of such Infirmary, shall have been laid before the Presentment Sessions, and that such Application and Account shall have been approved of thereat.

Presentment for Salary of Surgeon to a County Infirmary.

LXXXVI. And be it enacted, That it shall and may be lawful for the Grand Jury of any County to present at each Assizes any Sum not exceeding Forty-seven Pounds, to be raised off such County, and paid to the Surgeon or Surgeons of the Infirmary thereof: Provided always, that no such Presentment shall be made 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 Presentment Sessions, which Certificate shall state that the Surgeon or Surgeons for whom such Sum is requested to be presented hath or have resided at or within One Mile of such Infirmary, and duly and faithfully executed his or their Duty as Surgeon of such Infirmary or Hospital, and diligently complied with the Rules and Regulations of the Governors of such Infirmary, since the Date of the last Application, nor 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 the Special Sessions next after his Appointment to his Office, nor unless such Surgeon shall have given 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; and provided

vided also, that no Surgeon or Medical Attendant hereafter appointed shall be qualified to act as Surgeon of any Infirmary or Dispensary until he shall have signed and deposited with the Secretary of the Grand Jury a Declaration in the Form in the Schedule (R.) to this Act annexed.

Penalty for giving or promising any Money, &c. to obtain the Appointment to any Office or Employment under this Act.

LXXXVII. And be it further enacted, That if any Person shall at any Time after the passing of this Act, by himself, his Friends or Agents, directly or indirectly give or promise to give any Money, or any Security for Money, or other Consideration, to any Person or Persons in order to procure the Appointment to the Office of Treasurer, Clerk of the Peace, Secretary of the Grand Jury, Surveyor, or any other Office or Employment in this Act mentioned, or in order to procure the Resignation of any Person or Persons holding such Office, or in order to influence the Votes of the Persons who may have the Appointment to such Office, he shall be incapable of holding any such Office or Employment, and shall forfeit for every such Offence a Sum of One hundred Pounds to any Person who will sue for the same, and such Sum may be recovered by Civil Bill before the Assistant Barrister, or by Action in any of the Superior Courts; and every Person appointed to any of such Offices at any Time after the passing of this Act shall, at the Assizes next after his Appointment, subscribe in open Court before the Foreman of the Grand Jury and deliver to him a Declaration in the Form in the Schedule (T.) to this Act annexed, and the same shall be preserved by the Clerk of the Crown among the Records of the County, and no Presentment shall be made for any Salary to any such Officer until he shall have so subscribed and delivered such Declaration.

Persons appointed to Office to subscribe a Declaration at the next Assizes, which shall be preserved.

Presentment for the Support of Houses of Industry.

LXXXVIII. And be it enacted, That it shall be lawful for the Grand Jury of any County at any Assizes to present, to be raised off such County, any Sum not less than Four hundred Pounds and not exceeding One thousand Pounds in the Year for the Support of any House of Industry in such County established under the Provisions of an Act passed in the Eleventh and Twelfth Years of the Reign of His Majesty King *George* the Third, intituled *An Act for badging such Poor as shall be found unable to support themselves by Labour, and otherwise providing for them, and for restraining such as shall be found able to support themselves by Labour or Industry from begging;* which Sum when so raised shall be paid to the Corporation of such House of Industry, and applied by the said Corporation towards the Support and Maintenance of the same accordingly: Provided always, that, together with an Application for such Presentment, a Debtor and Creditor Account of the Funds and Expences of such House of Industry from the Time of the last Application shall have been laid before the County Presentment Sessions and approved thereat.

11 & 12 G. 3. (I.)

Presentment for Support of Lunatic Wards in Houses of Industry.

LXXXIX. And be it enacted, That where a Lunatic Asylum or any Ward or Wards for the Reception and Support of Idiots and Insane Persons is connected with or under the Direction of any House of Industry in any County, it shall and may be lawful for the

the Grand Jury at any Summer Assizes to present such Sum or Sums not exceeding the Sum of One hundred Pounds as shall appear to be necessary for the Support of such Asylum or Ward connected with such House of Industry, and such Sum shall be raised off the County at large, and levied and applied accordingly.

Presentment to repay Advances by Order of Lord Lieutenant to defray Expences of a Board of Health.

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

Presentment for erecting, &c. District Lunatic Asylum.

1 & 2 G. 4. c. 33.

XCI. And be it enacted, That at any Time after any Order in Council shall be made by the Lord Lieutenant of *Ireland* by and with the Advice of His Majesty's Privy Council in *Ireland*, under and by virtue of the Provisions of an Act passed in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make more effectual Provision for the Establishment of Asylums for the Lunatic Poor, and for the Custody of Insane Persons charged with Offences, in* Ireland, or any Act or Acts amending the same, and after such Order shall have been published in the *Dublin Gazette*, it shall and may be lawful for the Grand Jury of any County within any District appointed under the said recited Act to present at any Assizes such Sum or Sums of Money to be raised off such County as shall be requisite for defraying the Expences of erecting and establishing an Asylum for the Lunatic Poor for such District, or any Proportion thereof, ascertained by any Order made by the said Lord Lieutenant and Privy Council.

Presentment for Support of District Lunatic Asylum.

XCII. And be it enacted, That it shall and may be lawful for the Grand Jury of any County, within any District for which a Lunatic Asylum is now or shall at any Time hereafter be built and established under the Provisions of the said last-recited Act, to present at each Assizes, to be levied off such County, such Sum or Sums of Money as shall be necessary for the Expences of supporting, supplying, and maintaining any such Asylum, or the Officers thereof, or the Patients therein, or any Proportion of such Expences, ascertained by Order of the said Lord Lieutenant and Privy Council.

Presentment for repaying Advances from Consolidated Fund for erecting and

XCIII. And be it enacted, That whenever the Lord Lieutenant of *Ireland*, by and with the Advice of His Majesty's Privy Council in *Ireland*, shall, under the Provisions of the said last-recited Act or any Act amending the same, have ordered and directed any Sum or Sums of Money to be advanced, issued, and paid out of the growing

Produce of the Consolidated Fund arising in *Ireland* for the Purpose of erecting and establishing, opening, carrying on, maintaining, or supporting any such Asylum, the Grand Jury of every County within the District in and for which such Asylum shall be erected and established shall and they are hereby required (after any such Asylum shall be fit for the Reception of such Lunatic Poor) to present at each Assizes, without any previous Application at Presentment Sessions, such Sum or Sums of Money to be levied off such County as shall be necessary for the Repayment of any such Sum or Sums so advanced, or any Part thereof, at such Times and in such Proportions as shall be directed and ascertained by any Order or Orders to be made by such Lord Lieutenant in Council as aforesaid.

supporting any District Lunatic Asylum.

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

Presentment for Purchase Money and Rents of Sites of Lunatic Asylums.

XCV. And whereas by an Act passed in the Seventh Year of the Reign of King *George* the Third it was enacted, that the Infirmary for the County of *Donegal* should be erected at *Lifford*, which is now found to be an inconvenient Situation; be it therefore enacted, That so much of the said Act as relates to the Erection of said Infirmary shall be and the same is hereby repealed; and that it shall and may be lawful for the Lord Lieutenant or other Chief Governor, by and with the Advice of the Privy Council of *Ireland*, upon a Memorial being presented from Two Thirds of the Grand Jury of the County of *Donegal*, praying for the Removal of the Infirmary of said County to some other convenient Place, to order and direct that said Infirmary be removed accordingly, and that the Grand Jury of the County of *Donegal* shall and may thereupon present such Sums as shall be necessary for the aforesaid Purpose.

So much of the Act of 7 G. 3. as relates to the Erection of an Infirmary at Donegal repealed. The Lord Lieutenant may direct it to be removed.

XCVI. And be it enacted, That it shall and may be lawful for the Grand Jury of any County in which any Diocesan School or District School or the Site appointed for the same shall be situate to present, to be levied off such County, any Sum or Sums which they shall think proper for purchasing, providing, building, or repairing any

Presentment for building, &c. Diocesan Schools and School-houses.

any such Schoolhouse or a Dwelling House for the Master thereof, or any of the Offices or Appurtenances properly belonging to such Schoolhouse or Dwelling House, or for purchasing or procuring a Site for the same, not exceeding the Quantity of Two Plantation Acres: Provided always, that whenever any Grand Jury shall make such Presentment for any Schoolhouse or Dwelling House as and for the Schoolhouse of the Diocese only within which such County shall be situate, or as and for the Dwelling House of the Schoolmaster of such Diocesan School only, such Diocese shall not be or remain united to or with any other Diocese under any of the Provisions of an Act passed in the Fifty-third Year of His Majesty King *George* the Third, intituled *An Act for the Appointment of Commissioners for the Regulation of the several endowed Schools of public and private Foundations in* Ireland, but such Diocesan School shall be supported within its proper Diocese only, and the Money raised in such Diocese shall be applied solely and entirely to the Use of such Diocesan School, and not to any District School or other School out of such Diocese.

53G.3. c.107.

Presentment for Coroners.

XCVII. And be it enacted, That it shall be lawful for the Grand Jury of any County at each Assizes to present any Sum not exceeding in the whole a Sum after the Rate of Thirty Pounds for each and every Coroner in such County, according to the Schedule (S.) hereunto annexed, to be levied off such County or any Barony therein as such Grand Jury shall think advisable, and such Grand Jury shall apportion the whole of such Sum so presented among the several Coroners of such County according to the Number of Inquests which may appear to have been respectively held upon the Body of any Person by each of such Coroners since the Date of the last Application for a Presentment; and such Sums shall be paid by the Treasurer to the Coroners respectively who shall have held such Inquests and for whom such Sums shall have been presented: Provided always, that no Coroner shall receive more than at the Rate of Two Pounds for each Inquest so held by him.

No Coroner to receive more than at the Rate of 2*l.* for each Inquest.

Certificate of Coroner in Form following to be laid before Sessions.

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

'I *A. B.*, a Coroner in the County [County of a City *or* County of a Town] of do hereby certify, That on the Day of I held an Inquest on the Body of *C. D.* at in this County [*or* County of a City *or* County of a Town], and that the Names of the Jurors impannelled on such Inquest were as follows:

'

'

And that the Names of the Witnesses

'Witnesses examined before such Jurors were as follows:

'

'

'

And that the Verdict of such

'Jury was

'All which I certify. Dated this

'Day of

'*A. B.*,

'Coroner of this County [County of a City *or*

'County of a Town] of .'

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

XCIX. And be it enacted, That it shall and may be lawful for any Coroner before whom any Physician, Surgeon, Apothecary, Chemist, or other Person practising Medicine or Surgery, shall, in obedience to a Summons from such Coroner, attend and be examined as a Witness at any Inquest relative to the Death of any Person, to grant such Witness an Order, signed by such Coroner, upon the Treasurer of the County wherein such Inquest shall be held, for such Sum not exceeding Three Pounds as to such Coroner shall seem fit, and the Amount of all such Payments shall be presented by the Grand Jury to be raised off the County at large, or any Barony thereof, in like Manner as the Sum presented for the Inquest whereat such Party may have attended, provided always, that the Coroner shall certify to the Presentment Sessions of the Barony in which the Inquest was held the Amount and Particulars of all such Sums so by him ordered to be paid, and that such Payment shall have been approved thereat, but not otherwise. Presentment for Medical Witnesses examined on Inquests.

C. Provided always, and be it enacted, That it shall not be lawful for any Grand Jury to present any Money to be paid to any Coroner who shall appear to them to have been guilty of Neglect of Duty in not attending to take any Inquest or otherwise, nor in any Case to present any Money for the Remuneration of any Coroner for or in respect of any Inquest other than such as shall have been held since the Date of the Application for the last Presentment. No Presentment for Coroner guilty of Neglect of Duty.

CI. And be it enacted, That it shall be lawful for the Grand Jury of each County at each Assizes, and they are hereby required, to present, to be levied off such County, or off any Barony or Half Barony (as the Case may be), all and every such Sum or Sums of Money as may be chargeable upon and directed to be presented and levied off such County, Barony, or Half Barony, by and under the Provisions of an Act passed in the Fifty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to provide for the better Execution of the Laws in* Ireland, *by appointing Superintending Magistrates and additional Constables in certain Cases*, or any Act amending the same, or an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Appointment of Constables, and to secure the effectual* Presentment of Money for Constabulary Force. 54G.3.c.131. 3G.4.c.103.

Performance of the Duties of their Office, and for the Appointment of Magistrates, in certain Cases, or any Act amending the same, or any Act passed or to be passed in this present Session of Parliament to consolidate the Laws relating to the Constabulary Force in *Ireland;* and every such Presentment shall be made without any previous Application to Presentment Sessions, and in all respects pursuant to the Regulations of the said Acts, or such of them as may be applicable to the Case; and the Money levied under every such Presentment shall be paid over in such Manner and to such Bank or Person as the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, shall direct, save and except in the Case of the Superannuations herein-after and by the said Acts or any of them directed to be paid to the Parties entitled to the same.

Presentment for Constables superannuated for Wounds, &c. 5 G. 4. c. 28.

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

Presentment for Constables superannuated for Age or Infirmity.

CIII. And be it enacted, That it shall and may be lawful for the Grand Jury of each County, and they are hereby required, to present (without previous Application to Presentment Sessions) such yearly Allowance, Superannuation, Compensation, Gratuity, or Remuneration, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall order, or at any Time have ordered, to be paid by such County, or such Proportion thereof as he or they shall direct or have directed to be paid to any Magistrate, Inspector, Deputy Inspector, Co-Inspector, Sub-Inspector, Chief Constable, Constable, or Sub-Constable, who has been or shall here-

after be superannuated, by virtue of the Provisions of any Act or Acts of Parliament now in force, or which may be passed in this present Session of Parliament, authorizing such Lord Lieutenant or other Chief Governor or Governors to grant such Superannuation, and such Allowance, Superannuation, Compensation, Gratuity, or Remuneration shall be presented in equal Moieties, One at each Assizes during the Life of each Person so entitled thereto, on Proof to the Grand Jury from Time to Time that such Person is living, and, when raised, such Money shall be paid to each such Person by the County Treasurer.

Presentment for Expences of Special Constables. 2 & 3 W. 4. c. 108.

CIV. And be it enacted, That when in any County any Special Constables shall have been appointed by virtue of an Act of the Second and Third Year of the Reign of His present Majesty, intituled *An Act for amending the Laws in* Ireland *relative to the Appointment of Special Constables, and for the better Preservation of the Peace*, and the Justices of the Peace of such County, acting at a Special Sessions held for that Purpose, or the major Part of them, shall, in pursuance of the Powers given to them by the said Act, have made any Order or Orders upon the County Treasurer for the Payment to such Special Constables of a reasonable Allowance for their Trouble and Loss of Time, or to defray Expences incurred in providing Staves or other necessary Articles for such Special Constables, it shall and may be lawful for the Grand Jury of such County, and such Grand Jury is hereby required, to present, (without previous Application to Presentment Sessions,) to be raised off such County or any Barony thereof within which such Special Constables may have served, the Amount of all Sums paid by the County Treasurer pursuant to such Order or Orders.

Presentment for Expences of Prosecutors and Witnesses in Cases of Felony.

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

nizance or Subpœna, to order the Treasurer of the County in which the Offence shall have been or shall have been supposed to have been committed to pay unto such Person such Sum of Money as shall seem reasonable, not exceeding the Expences which it shall appear that such Person has *bonâ fide* incurred by reason of the said Recognizance or Subpœna; and in case such Person shall appear to be in poor Circumstances such Court may make a further reasonable Allowance to such Person for Trouble and Loss of Time, which Order the Clerk of the Crown or the Clerk of the Peace respectively is hereby directed and required forthwith to make out and deliver to such Person; and such Treasurer is hereby authorized and required, out of any Public Money in his Hands, forthwith to pay to any such Prosecutor or Witness respectively, or to any Person by him or her authorized, any such Sum of Money so ordered, and such Treasurer shall be allowed the same in his Accounts; and the Grand Jury of such County shall at each Assizes present all Sums so paid to such Prosecutors and Witnesses respectively, to be raised either off the County at large or upon any Barony thereof, as to such Grand Jury shall seem fit; and such Presentment may be made without any previous Application to Presentment Sessions.

Presentment for Compensation of Persons maimed, and to Representatives of Persons murdered, in certain Cases.

CVI. And be it enacted, That if it shall appear that any Person having given Information or Evidence against any Person or Persons charged with any Offence against the Public Peace shall have been murdered or maimed previous to the Trial of the Person or Persons accused by such Information or Evidence, or of any of them, or on account of any such Evidence given, or that any Magistrate or other Peace Officer shall be murdered or maimed on account of his Exertions, as such Magistrate or Peace Officer, to bring Disturbers of the Public Peace to Justice, it shall and may be lawful to and for the Grand Jury of the County within which such Murder or Maiming shall have been committed respectively to present such Sum or Sums of Money as they shall think just and reasonable to be paid to the Personal Representative of such Witness, Magistrate, or Peace Officer so murdered, or to such Witness, Magistrate, or Peace Officer so maimed, having Regard to the Rank, Degree, Situation, and Circumstances of such Witness, Magistrate, or Peace Officer, such Money to be raised off the County at large or the Barony in which such Murder or Maiming shall respectively have been perpetrated, at the Discretion of such Grand Jury.

Presentment for Rewards to Prosecutors of Felons.

CVII. And be it enacted, That it shall and may be lawful for the Grand Jury of any County at any Assizes, if they shall think fit, to present, without any previous Application at Sessions, any Sum of Money not exceeding the Sum of Twenty Pounds for each and every Person who shall apprehend and prosecute to Conviction any Person guilty of any Murder, and any Sum not exceeding Ten Pounds for each and every Person who shall apprehend and prosecute to Conviction any Person guilty of any other Capital Felony or Misdemeanor for which any Person on Conviction may be liable to be transported; such Sum or Sums to be raised off such County or any Barony thereof as such Grand Jury shall think proper, and to be paid to

to any Prosecutor or Prosecutors of such Offenders as aforesaid; and such Presentment may be made during the Time appointed for transacting the Criminal Business of such County.

Presentment for Expence of removing Offenders.

CVIII. And be it enacted, That the Grand Jury of any County where any Offence shall have been committed shall present, to be levied off such County, the Expences attending the Removal thereto of any Prisoner apprehended according to Law in any other Part of the United Kingdom; provided that, with an Application by the Treasurer of the County to the next County Presentment Sessions after such Expences shall have been repaid by him, there shall be laid by such Treasurer before such Sessions the Account or Accounts of such Expences, verified as by Law required, upon which he shall have repaid the same, and that such Application and Account shall be approved at such Sessions.

Presentment for Maintenance of deserted Children.

CIX. And be it enacted, That where, after the passing of this Act, any Child under the Age of Two Years shall be left exposed and deserted in any Parish in *Ireland*, and an Application shall have been made by any Two Cess Payers, with the Approval of Two or more Justices at Petty Sessions assembled, and such Application shall likewise have been approved at the Presentment Sessions for the Barony in which such Parish shall be situate, it shall be lawful for the Grand Jury of such County to present, to be levied off such Parish, or any Portion thereof, any Sum not exceeding Five Pounds in the Year for the Maintenance of such Child, and such Sum so levied shall be paid to the Cess Payers making such Application or such other Person or Persons as the Grand Jury shall direct, to be by them applied for the Purposes aforesaid: Provided always, that if the Baronial Presentment Sessions shall not approve of any such Application, or the Grand Jury of such County shall refuse or neglect to make such Presentment, it shall be lawful for the Judge of Assize, upon the Complaint of such Cess Payers, to order such Sum as he shall think fit, not exceeding Five Pounds, to be raised upon such Parish or Portion thereof (in the same Manner as any Money presented by Grand Juries) for the Support of such Child; and provided further, that in no Case shall any Sum be presented for the Support of any such Child after it shall have attained the Age of Twelve Years.

If Application is disallowed, the Judge may order a Sum in certain Cases.

Presentments for Salaries of County Officers, &c.

CX. And be it enacted, That all County Treasurers, Clerks of the Crown, Clerks of the Peace, Secretaries to Grand Juries, Sheriffs, Medical Officers of Prisons, and all other Officers and Persons mentioned and specified in the Schedule marked (S.) to this Act annexed, shall from and after the passing of this Act be paid and remunerated for their respective Duties, Services, and Expences by annual Salaries only, payable half-yearly at each Assizes by equal Moieties, and not exceeding the Amount mentioned in the said Schedule; and the Grand Jury at any Assizes shall and may present (without previous Application to Presentment Sessions) for each such Officer, to be raised off the County at large, the Moiety of such annual Salary: Provided always, that in case of any negligent or insufficient Discharge of Duty by any such Officer or Officers, it shall and may be lawful

Proviso.

lawful to and for any Grand Jury, with the express Sanction of the Court, but not otherwise, to present any Sum or Sums less in the whole than the Moiety of the annual Salary by this Act specified to be paid to any such Officer or Officers, or to withhold and refuse to make any Presentment whatever for any such Officer or Officers; and that such Officer shall not be entitled to receive any Payment for any Service or Duty performed at an adjourned Assizes.

No Presentment to be fiated without certain Certificates.

CXI. And be it enacted, That no Presentment for any Salary to any Treasurer of any County shall be fiated by any Court or Judge unless there shall be previously produced to such Court or Judge by the acting Clerk of the Crown either a Certificate signed by the proper Officer of the Court of Exchequer in *Ireland* stating that such Treasurer has duly given and entered into the Recognizances now required of him by Law, and that such Recognizances have been duly deposited and entered or recorded in such Court, and the Dates thereof and the Names of the respective Sureties therein, and the Sums for which such Sureties were severally bound, or else a Certificate signed by the Accountant General of the Court of Chancery that such Sum of Money as shall be equal to the Amount of Security required to be given by such Treasurer has been duly invested as by Law required, and a Certificate or Receipt that he has duly paid all Instalments to the Public Boards which have been presented at the previous Assizes, and that his Accounts have been duly audited by the Grand Jury.

Affidavit of Emoluments to be made by Clerk of the Crown and Clerk of the Peace.

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

Further Presentment for Clerk of the Crown and other Officers in certain Cases.

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

Presentments for Secretaries to include Stationery.

CXIV. And be it enacted, That the Presentments to be made under this Act for the Secretaries to the several Grand Juries shall be in full Acquittance of all Demands to be made by such Secretaries

for Stationery, which such Secretaries shall be bound to furnish to the several Grand Juries without further Charge, not however including the Expence of Printing herein specially provided for.

Presentment for Expense of Registry Books and Lists of Voters.

CXV. And be it enacted, That it shall and may be lawful for every Grand Jury at each Assizes, and they are hereby required, to present all such Sum or Sums of Money as may be necessary to defray the Expence of providing and printing all such Registry Books and Lists of registered Voters as are or shall be required to be provided and printed by the several Acts now in force for regulating the Election of Members to serve in Parliament in *Ireland*, to be paid to the Person or Persons who shall have contracted for supplying and printing such Books or Lists.

Presentment for Copies of Weights and Measures, and for Stamps and Remuneration of Inspectors.

5 & 6 W. 4. c. 63.

CXVI. And be it enacted, That it shall and may be lawful for the Grand Jury of any County, and they are hereby required, to present, to be raised off such County, the Expence of providing and transmitting such Copies of the Imperial Standard Weights and Measures, and the Stamps to be used by the Inspectors of Weights and Measures, and such Remunerations to Inspectors, as they are respectively directed to provide and transmit under and by virtue of an Act passed in the Fifth and Sixth Years of the Reign of His present Majesty, intituled *An Act to repeal an Act of the Fourth and Fifth Years of His present Majesty, relating to Weights and Measures, and to make other Provisions instead thereof.*

Presentment for Expences of suing Treasurers and Contractors, &c.

Taxed Bill of Costs to be laid before Sessions.

CXVII. And be it enacted, That it shall and may be lawful for the Grand Jury of any County to present, to be levied off such County, such Sum or Sums of Money as may be necessary or shall have been expended for or in suing any Treasurer, High Constable, or Collector of any Public Money, or any of their Sureties, Executors, or Administrators, for any Misconduct, Breach of Duty, or Nonpayment, or for recovering any Public Money from any Treasurer, High Constable, or Collector, or their Sureties, Executors, or Administrators, or for suing any Contractor under this Act, or under any Act in force in *Ireland* at the Time of the passing of this Act, his Sureties, Executors, or Administrators, for any Breach of Contract; provided that no such Presentment shall be made, unless, together with the Application therefor at Presentment Sessions, there shall have been laid before such Sessions a Bill duly taxed and certified by the proper Taxing Officer of the Costs incurred for any of the Purposes aforesaid for which such Presentment shall be required, nor unless it shall be proved that such Costs could not be recovered from the Person sued, or any other Person liable to pay the same, and that the Proceeding was instituted by the Direction of a Grand Jury.

Presentment for Salary and Expences of Commissioners of Valuation and Allowances of Valuators.

7 G. 4. c. 62.

CXVIII. And be it enacted, That whenever the Lord Lieutenant of *Ireland*, by virtue of the Powers and Authorities given to him by an Act passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make Provision for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in* Ireland, *for the Purpose of the more equally levying of the Rates and Charges upon such Baronies,*

Baronies, Parishes, and Divisions respectively, and any Act amending the same, or any Act passed or to be passed in this present Session of Parliament consolidating or amending such Acts, shall have ordered and directed any Sum or Sums of Money to be advanced out of the Produce of the Consolidated Fund of the United Kingdom arising in *Ireland*, for the defraying of the Salary or the travelling or other Expences of any Commissioner of Valuation, or for defraying the Allowances of any Valuators appointed under the Provisions of the said recited Acts or any of them, it shall and may be lawful for the Grand Jury of any and every County in which such Commissioner and such Valuators shall be employed, and they are hereby authorized and required, on the Production of the Certificate of the Chief Secretary of such Lord Lieutenant, or of the Under Secretary, of the Amount of Money advanced and paid as aforesaid, to present (without previous Application to Presentment Sessions), to be levied off their respective Counties or any Barony or Baronies therein, the Amount of the Sum or Sums stated in such Certificate, in such Manner and in such Proportions as the said Lord Lieutenant shall direct; and when and so soon as the Sum or Sums so to be presented as aforesaid shall be raised and received by the Treasurer of any County, such Treasurer shall pay over the same in such Manner and to such Bank or Person as the Lords Commissioners of His Majesty's Treasury shall direct.

Presentment for Trackways on Banks of Navigable Rivers.

CXIX. And be it enacted, That it shall and may be lawful for the Grand Jury of any County to present at any Assizes such Sum or Sums of Money as may be necessary to repair or widen to any Width not exceeding Fifteen Feet any Towing Path and Trackway on the Bank of any Navigable River on which Boats have been accustomed to be towed by Horses, to be levied off the Barony or Baronies in which such Towing Path and Trackway are locally situate: Provided always, that nothing herein contained shall extend to the repairing or widening of the Towing Paths or Trackways of Canals or Rivers whereon Tolls are paid or payable.

Owners of Ferries may erect Bridges and take Tolls, on certain Conditions.

CXX. And be it enacted, That it shall be lawful for any Person or Persons who now have or hereafter shall have any Ferry over a River (except in Cities and Towns Corporate) to erect and support a Bridge at his or their own Expence over such River in the Place of such Ferry, and to take and receive for passing such Bridge such Toll, and no more, as they are entitled to receive for passing such Ferry, so as that such Bridge shall not obstruct the Navigation of such River; and that such Tolls shall be recoverable in the like Manner, and under such Penalties for refusing or evading to pay the same, by any Justice of the Peace, as is prescribed by an Act passed in the Parliament of *Ireland* in the Thirtieth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the building a Bridge over the River* Loughfoyle *in the City of* Londonderry *and the Suburbs thereof*, and that it shall be lawful for any Grand Jury, upon an Application made and approved of in manner by this Act directed, to make Presentment for the Purchase of the Properties in any such Bridges or Ferries, in order to open the same, free of Tolls, for the Benefit of the Public.

30 G. 3. (I.) Grand Jury may present for the Purchase of the Property in such Bridges to open them Toll-free.

CXXI. And

Power for Grand Juries to redeem Tolls payable on certain Bridges. 19 & 20 G. 3. (I.)

CXXI. And be it enacted, That at any Time after the completing and opening of any Bridge built in pursuance of an Act passed in the Parliament of *Ireland* 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*, and of an Act passed in the Fifty-third Year of the Reign of His said Majesty King *George* the Third, amending the same, it shall and may be lawful for the Grand Jury of the County in which such Bridge shall be situate, or if situate in Two Counties, then for the Grand Juries of such Counties, to redeem the Tolls payable under the said Acts to the Owner or Owners of the said Tolls, by paying in one Sum to such Owner or Owners the original Sum expended in building such Bridge, with any Deficiency of Interest which may arise, in case by the Perception of the said Tolls the said Owner or Owners shall not have received, above all necessary Costs and Charges of Repair and Collection of the said Tolls, the legal Interest at the least for the Money originally expended in building and erecting such Bridge; and on such Payment of the original Sum so expended, and of such Deficiency, if any there shall be, then the said Tolls shall cease, and the Passage of such Bridge shall be open and free to all Cattle, Carriages, and Persons whatsoever; and such Grand Jury is hereby empowered, upon an Application made and approved of in manner by this Act directed, to raise by Presentment, to be levied off the County at large, such Sum or Sums of Money as may be sufficient to defray the Expences of redeeming such Tolls in manner aforesaid, such Sum or Sums to be paid to the Owner or Owners of such Tolls.

Presentment of Sums necessary to redeem.

Not to affect the Power to make Presentments for erecting of certain Bridges. 4 & 5 W. 4. c. 61.

CXXII. And be it enacted, That nothing herein contained shall be construed to limit or affect the Power or Duties of any Grand Jury to make any Presentment which they are authorized or required to make, under and by virtue of an Act passed in the Fourth and Fifth Years of the Reign of His present Majesty, intituled *An Act for the more effectually providing for the Erection of certain Bridges in* Ireland; provided that no previous Application or Approval at Presentment Sessions under the Provisions of this Act shall be necessary to authorize any such Presentment.

nor the Authority to make Presentments for clearing Rivers if previously applied for and approved at Baronial Presentment Sessions. 1 & 2 W. 4. c. 57.

CXXIII. And be it enacted, That nothing in this Act contained shall limit or affect the Authority of Grand Juries to make Presentment for clearing, sinking, embanking, or altering the Course of any River or Stream pursuant to the Provisions of an Act passed in the First and Second Year of His present Majesty, intituled *An Act to empower Landed Proprietors in* Ireland *to sink, embank, and remove Obstructions in Rivers;* provided that an Application for such Presentment, in the Form prescribed by the said recited Act, shall have been previously made and approved, in the Manner herein-before appointed, at the Presentment Sessions holden for the Barony where the Work to which such Application may refer shall be locally situate.

Powers reserved to Grand Juries

CXXIV. And be it enacted, That nothing in this Act contained shall be construed to limit or affect the Powers, Duties, or Authorities of

to make Presentments under Prison Act. 7 G. 4. c. 74.

of Grand Juries to make any Presentments which they are authorized or required to make under and by virtue of an Act passed in the Seventh Year of the Reign of His late Majesty, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland: Provided always, that it shall not be lawful for any Grand Jury to make any Presentment under the Provisions of the said recited Act for any Salary or Compensation to any Keeper, Turnkey, or Matron of any Gaol, Penitentiary, Bridewell, or House of Correction, or for building, rebuilding, altering, enlarging, or repairing any Gaol, Bridewell, House of Correction, or other Prison, (except in the Case of Repairs made under the Provisions of the said recited Act, in consequence of any Fire or other sudden Accident which may happen to any such Gaol, Bridewell, House of Correction, or other Prison,) unless Application for such Presentment shall have been made and approved at Presentment Sessions in the Manner herein-before directed and provided: Provided also, that all Contracts which any Grand Jury is authorized to make or enter into under the Provisions of the said recited Act shall be made by sealed Tenders and Proposals, to be delivered, opened, and dealt with, and Security to be taken in like Manner as herein-before provided with respect to other Contracts for Public Works, any thing in the said recited Act to the contrary notwithstanding: Provided also, that no such Contract shall be entered into, nor any Presentment made thereupon, save upon and after an Application made and approved at Presentment Sessions as herein-before directed.

Grand Jury may superannuate Keepers, Turnkeys, or Matrons, on certain Recommendations and Certificates.

CXXV. And be it enacted, That it shall and may be lawful for the Grand Jury of any County, upon the Recommendation of the Inspectors General of Prisons, or One of them, supported by a Presentment of the Presentment Sessions of the County at large, and by the Certificate of the Board of Superintendence of any Gaol, Bridewell, House of Correction, or other Prison, and by such other Certificates as such Lord Lieutenant shall require or direct, that any Keeper, Turnkey, or Matron of such Gaol, Bridewell, House of Correction, or other Prison, is incapable, from Age or Infirmity of Mind or Body, to discharge the Duties of his or her Office, to order that such Keeper, Turnkey, or Matron shall and may be superannuated, and shall and may receive such yearly Allowance or Superannuation as to such Grand Jury shall seem fitting and proper; and thereupon such Keeper, Turnkey, or Matron shall cease to hold his or her Office; and the yearly Sum to which he or she shall become entitled shall be presented by the Grand Jury of the County in which such Gaol or other Prison shall be situate, in equal Moieties, one at each Assizes, during the Life of the Person so superannuated, on its being proved to the Satisfaction of such Grand Jury that such Person is living: Provided always, that no such Superannuation Allowance for any such Keeper, Turnkey, or Matron shall in any Case exceed Two Thirds of the annual Salary to which such Person shall be entitled at the Time of his or her Superannuation, nor the Proportions with reference to the Amount of the Salary of any such Keeper, Turnkey, or Matron, and the Periods of their Services respectively, which by an Act passed in the Fourth and Fifth Year of the Reign of His present Majesty, intituled *An Act to alter, amend, and consolidate the Laws*

Presentment for such Superannuation.

Not to exceed Two Thirds of former Salary.

4 & 5 W. 4. c. 24.

for regulating the Pensions, Compensations, and Allowances to be made to Persons in respect of their having held Civil Offices in His Majesty's Service, are directed to be observed.

Powers reserved to Grand Juries to present for Advances &c. from Commissioners of Public Works. 1 & 2 W. 4. c. 33.

CXXVI. And be it enacted, That nothing in this Act contained shall limit or affect the Powers, Duties, or Authorities of Grand Juries to make Presentments for any Public Work or for the raising of any Public Money for which they are now or hereafter may be authorized or required to make Presentment by virtue and pursuant to the Provisions of an Act passed in the First and Second Years of His present Majesty's Reign, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, or any other Act amending or altering the same; and wherever in and by the said recited or other Act Grand Juries are empowered to make Presentments in order to obtain Advances, Loans, or Grants from the Commissioners for the Execution of the said recited or other Act for the Purpose of any Public Work which under the Laws in force at the Time of the passing of such Act it was competent for Grand Juries to present, they are hereby authorized and empowered to make similar Presentments in all respects and for like Purposes for any Public Work which they are under the Provisions of this Act authorized to present, and such Presentments when made shall be dealt with by the said Commissioners in all respects as the Presentments which Grand Juries were empowered to make in order to obtain Advances, Loans, or Grants under the Provisions of the said recited Act: Provided always, that no Presentation shall be made for the Purpose of obtaining any Grant, Loan, or Advance of Money from the Commissioners for the Execution of the said recited or other Act, unless an Application shall have been duly made and approved at the proper Presentment Sessions in the Manner herein-before appointed; and all Works so applied for (except in the Case of Works to be constructed or executed under the Direction of or by Persons in the Employment of the said Commissioners) shall be executed by Contract made upon sealed Tenders and Proposals in the Manner herein-before prescribed with respect to other Public Works to be executed by Grand Jury Presentments; and in all other respects the said recited 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.

Application to be made at Sessions.

All Presentments shall contain a Reference to the Chapter and Section of the Act under which they are made, &c.

CXXVII. And be it enacted, That on the Face of 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; 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 the 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.

CXXVIII. And

Advances may be made to Contractors in certain Cases not exceeding Three Fourths of the Cost of the Work.

CXXVIII. 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 the Purpose, to advance from Time to Time during the Execution of the Work to the Contractor, upon his Application, any Sum not exceeding in the whole Three Fourths of the Cost of such Work; provided, that no such Advances shall be made by such Treasurer unless such Application shall be accompanied by a Certificate attached thereto, and signed by the County Surveyor, that more than the Sum applied for by such Contractor, in addition to any previous Advances made by him for such Work, has been fairly and honestly expended upon it conformably to the Contract.

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

CXXIX. 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 it shall be no Defence to such Complaint that such Contractor has not himself received any Payment upon Foot of his Contract; and the Decision of such Justices shall be final; and the Sum adjudged to be due shall be levied by Warrant of Distress, under Hand and Seal of any Two such Justices, off the Goods and Chattels of such Contractor.

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

CXXX. And be it enacted, That every Person who may contract for the Execution of any Work 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 Day appointed for the holding of the first Presentment Sessions in the County after every Assizes or Presenting Term, of his Intention to make Application as herein-after provided, 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 for Public Works, 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 Presentment Sessions to be holden for the Barony or One of the Baronies, or the

Secretary to lay Notices, &c. before Presentment Sessions.

the County of a City or County of a Town, in which such Work shall have been executed; and the 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 may 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, 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 shall take such Applications as have been approved into consideration, and allow or disallow the same according to their Discretion; but it shall not be lawful for such Grand Jury or for the Court to allow any Application which shall not have been approved of at such Sessions; and no such Contractor shall be entitled to Payment who shall not have given such Notice and made such Application, nor unless such Application shall have been approved and allowed as aforesaid; any thing in any Contract contained, or any Law or Usage, to the contrary notwithstanding.

Such Applications to be dealt with in like Manner as Applications for Presentments;

and allowed or disallowed by Grand Jury at their Discretion.

Proviso.

CXXXI. Provided, and be it enacted, That every Person who may contract with any Grand Jury for any County Printing shall, instead of the Certificate of the County Surveyor, obtain a Certificate from the Clerk of the Peace, the Secretary of the Grand Jury, and the County Treasurer, of the proper Execution of such Printing for their respective Offices, and the Performance of such Contract; and such Person shall lodge such Certificate, and apply for Payment of the Sum contracted for by him, in all respects as herein-before provided as to Contracts for Public Works, provided that such Application may be made by himself alone.

Contractors for Printing to obtain Certificate of Clerk of the Peace, &c.

CXXXII. 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.

Treasurer not to pay if Application traversed.

CXXXIII. And be it enacted, That it shall be lawful for any Person paying Grand Jury Cess for any County to traverse any Presentment made under this Act by the Grand Jury of any such County, and also to traverse the Application of 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; and the Court at each Assizes is hereby authorized and required to

All Presentments and Applications by Contractors for Payment liable to Traverse.

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 Clerk of the Peace to take any Fee for or in respect of such Traverse, 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 Grand Jury shall present the same without previous Application to Presentment Sessions: Provided always, that every Person intending to traverse any Presentment or Payment for which it is by this Act required that Application shall be made at the Presentment Sessions, shall give Notice in Writing of such Intention to the Secretary of the Grand Jury within Two Days after the first Day of such Sessions, and the same or any other Presentment shall be traversed only at the Assizes at which the Presentment shall be made or Payment required.

Notice of Traverse to be given.

Traverses of Presentments for Damages.

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

Presentment of Sums found by Jury.

Compensation for malicious Injury.

CXXXV. And be it enacted, That from and after the Commencement of this Act, in all Cases of maliciously or wantonly setting fire to, burning, or destroying any House, Outhouse, or other Building, or any Haggard, Corn, Hay, Straw, or Turf, or of maliciously setting fire to, burning, or sinking any Boat or Barge laden with Corn or other Provisions, or of maliciously killing, maiming, houghing, or injuring any Horse, Mule, Ass, or Swine, or any horned Cattle or Sheep, or

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

Notice of Injury to be given within Six Days to Churchwardens, &c.

Application to Sessions;

to be laid before Grand Jury with Opinion of Sessions indorsed, and Presentment made or refused, &c.

CXXXVI. And be it enacted, That every Application under this Act for Compensation for Loss or Damage occasioned by any malicious Injury as aforesaid shall be made at the next Presentment Sessions which shall be holden after the Commission of such Offence for the Barony, County of a City, or County of a Town where the same shall have been committed, unless any such malicious Injury shall have been done after the Day appointed for holding the first Presentment Sessions after the Assizes for the County in which such Injury shall have been done, or so near the Day of holding the same that such Application for Compensation cannot be duly lodged as herein-before directed, in either of which Cases the Person or Persons so injured shall make such Application at the Presentment Sessions which shall be holden next but one after the Time of the Commission of such Offence

Applications when and where to be made.

Offence for the Barony, County of a City, or County of a Town where the same shall have been committed, and the Notices of such Application shall be posted accordingly; and it shall not be lawful for any Grand Jury to make any Presentment for Compensation for malicious Injury under the Provisions of this Act, except at the Assizes next ensuing to the Sessions where Application shall have been made therefor.

Persons injured to give in Examinations upon Oath before a Justice within Three Days after Offence committed.

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

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

CXXXVIII. And be it enacted, That all such Applications whatsoever for Compensation for Loss or Damage sustained by malicious Injury shall be laid by the acting Clerk of the Crown before the Judge of Assize upon his Arrival; and in case any Person paying Grand Jury Cess for the County or Barony chargeable with the Sum presented by the Grand Jury upon any such Application shall be desirous of opposing any such Presentment, or in case any Person whose Application for Compensation shall have been disallowed by the Grand Jury shall wish to have his or their Application re-considered, such Cess Payer or Person or Persons applying for Compensation shall be heard; and in either of such Cases the Judge, if he shall so think fit, shall direct a Jury to be forthwith impannelled to try the Matter of such Presentment or Application respectively, and according as the Issue shall be found for or against such Cess Payer, the Judge shall discharge, alter, or fiat such Presentment; and in case of Application disallowed, if the Issue shall be found for the Person or Persons applying for Compensation, the Judge shall direct the Grand Jury to make Presentment thereupon accordingly, otherwise such Application shall be discharged; and all Verdicts of Juries impannelled as aforesaid to try any such Issues shall be final and conclusive to all Persons whatsoever; and it shall be lawful for the said Judge to award by Rule for that Purpose Costs to the Parties for whom the Issue shall be found against the other Party or Parties respectively in any Sum not exceeding Ten Pounds Sterling; and the said Judge is hereby empowered to direct and issue forthwith an Order or Orders in the Nature of Execution against such last-mentioned Party or Parties respectively, which said Order or Orders the Sheriff of such County is hereby required to execute in the same Manner as in Cases of Executions against the Chattels and Effects of Defendants.

Their Verdict to be final.

Costs.

CXXXIX. And

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

No Presentment for Compensation to be removed by Certiorari; nor Traverse allowed. No Action or Suit in Cases provided for by this Act.

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

Mode of obtaining Compensation for Injury committed near Boundaries of Counties.

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

No Fees to be taken.

CXLII. And be it enacted, That the Clerk of the Crown of every County in *Ireland* shall, within Seven Days after every Assizes, deliver to the Treasurer of such County, without a Fee or Reward, a Copy, attested upon Oath and signed by himself, of all Presentments which shall have been made and fiated at the preceding Assizes, and likewise

Clerk of the Crown to deliver Copies of Presentments, &c. to County Treasurer;

likewise Copies of all Queries discharged and remaining undischarged, distinguishing the same; and such Treasurer shall, within Thirty Days after the Receipt thereof, cause a Number of Copies of such Presentments and Queries, and also a detailed Abstract of his Accounts, to be printed and distributed as the Grand Jury shall direct; and it shall and may be lawful for the Grand Jury at each Assizes to present, to be levied off the County, such Sum as shall be necessary for defraying the Expence of printing and distributing such Copies, and also to present all such Sum or Sums of Money as shall be necessary to defray the Expence of printing the Treasurer's Account, and all Copies of Schedules of Applications, and other Printing required under the Provisions of this Act, or which may be ordered by the Judge of Assize, or Grand Jury or Presentment Sessions, for any County Purpose.

to be printed and distributed.

Presentment for printing Schedules, &c.

Imperative Presentments to be printed separately.

CXLIII. And be it enacted, That the Treasurer of each Grand Jury, in the Preparation of all printed Lists of Presentments granted by such Grand Jury, shall place in a separate Page of such Lists the several 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 to make Presentments for various Public Services; and the Amount of all Sums in such Lists shall be totted up at the Foot of each Column.

Copies of all Presentments made to be laid before Parliament.

CXLIV. And be it enacted, That the Treasurer of every County in *Ireland* shall, on or before the Twenty-fifth Day of *December* in each and every Year, cause a true Copy, signed by himself, of all Presentments which shall have been made by the Grand Jury and fiated by the Court at any Assizes or Presenting Term in such Year for the County whereof he is Treasurer to be forwarded to the Secretary of the Lord Lieutenant, to be by him laid before Parliament; and in case any Treasurer of any County shall neglect to make such Return as aforesaid he shall forfeit his Office.

Power to re-present Arrears to be levied as Sums originally presented.

CXLV. And be it enacted, That it shall be lawful for any Grand Jury to re-present any such Sums of Money as now are or at any Time hereafter shall be unpaid or in arrear out of any Denomination, Barony, or County of a City or Town, to be raised and levied on such Denomination, Barony, County of a City or Town, upon which the same was originally required by the Treasurer's Warrant to be levied; and to present all such Sums of Money which have hitherto been or which shall at any Time hereafter remain unpaid on account of the absconding or Insolvency of any County Treasurer, Collector, or other Person empowered to receive or collect Public Money, who is or shall be insolvent, to be raised and levied either upon the County or upon the Barony in which the same was before levied, as they shall think fit, which Sums shall be levied in the same Manner, and subject to the same Rules, Regulations, Provisions, and Powers, as any Money to be levied by virtue of this Act is to be subject; and in case any Money so detained or secreted by any Collector, Treasurer, or other Person empowered to collect or receive Public Money shall be thereafter recovered, it shall be paid to the then Treasurer; and such Money so paid, and any Balance, Arrears of, or Surplus on the Salary

of

of any County Officer, and all other such like Surplus and Balances of Money raised by Authority of this Act, or which may anyhow arise in the Hands of any County Treasurer, shall be applicable to defray the Expences of any Public Work or any County Charge whatsoever which the Grand Jury are authorized to present under the Provisions of this Act, and shall be presented by the Grand Jury for such of the said Purposes as to them shall seem expedient; provided always, that such Sum shall be applied to the Credit of any County or Barony off which it was originally levied; and provided further, that before it shall be lawful for any Grand Jury to re-present any Sum of Money as unpaid or in arrear out of any County or Barony or Denomination, to be raised and levied on such County or Barony or Denomination, it shall be made to appear, by Affidavit of the Collector, to such Grand Jury that such Sum is actually in arrear and unpaid by such County or Barony or Denomination respectively, and that it could not have been levied from the Persons or out of the Lands charged with or liable to pay the same.

Surplus Monies applicable to general Purposes of County.

Affidavit of Arrears before Representment.

CXLVI. And be it enacted, That whenever any Sum shall have been presented for any Work which shall not be executed within the Time or according to the Terms prescribed by the Contract for executing the same, it shall be applied in such Manner and under such Direction as the Grand Jury shall appoint, for the Purpose of executing or completing such Works, and shall be accounted for by such Person so appointed to apply the same.

Application of Sums presented for Works not executed.

CXLVII. And be it enacted, That the Grand Jury of each County shall at each Assizes appoint a proper Person, resident in the Barony or Half Barony or Baronies, not being a Magistrate or Attorney, to be High Constable and Collector for each Barony in such County, to collect all Money which shall be presented to be raised on such Barony or any Parish or Townland therein, and also such Barony's Proportion of the Money presented to be raised on the County at large; and every such High Constable shall have all Power and Authority and shall exercise and perform all Duties now or hereafter to be by Law required of any High Constable; and the Grand Jury of each County of a City or County of a Town shall at each Assizes appoint a proper Person or Persons to be Collector or Collectors for such County of a City or County of a Town, to collect all Money which shall be presented to be raised on such County of a City or County of a Town, or on any Parish or District thereof: Provided always, that if any such High Constable or Collector shall happen to die before he shall have collected the whole of the Money presented to be raised as aforesaid on such Barony, County of a City, or County of a Town for which he shall be High Constable or Collector, or if any Case of Vacancy should occur, it shall be lawful for the Justices of the Peace for the said County, at any General Quarter Sessions of the Peace or Adjournment thereof, to appoint another fit and proper Person to be High Constable or Collector *pro tempore*, until a High Constable or Collector shall be appointed by the Grand Jury of such County, County of a City, or County of a Town as aforesaid.

Appointment of High Constable and Collector for each Barony in Counties.

Collectors in Cities and Towns.

In case of Vacancy Justices to appoint pro tempore.

CXLVIII. Pro-

High Constable and Collectors to give Security.

CXLVIII. Provided always, and be it enacted, That no Person shal act as High Constable or Collector unless he shall have given Security at the Assizes before the Grand Jury by whom he shall have been appointed, or before the Justices of the Peace at the Sessions if such High Constable or Collector shall have been appointed at Sessions, by Two sufficient Sureties joining with him in executing a Bond and Warrant of Attorney, without Stamp, to confess Judgment to the Treasurer of the County, conditioned for his duly collecting and paying to such Treasurer on or before the first Day of the next Assizes all such Public Money as he is or shall be required by him to collect; and on his producing to the Grand Jury the Treasurer's Certificate of his having paid the same to the Treasurer pursuant to such Recognizance, it shall be lawful for the Grand Jury to present, without previous Application to Presentment Sessions, a Sum not exceeding Nine-pence in the Pound on the Amount of the Collection to be paid to such High Constable or Collector for his Trouble therein: Provided always, that no Presentment for such Poundage shall be made by any Grand Jury or fiated by the Court unless the Treasurer's Warrant under which such High Constable or Collector has levied such Public Money shall be annexed to such Presentment, nor unless such High Constable or Collector and their Deputies respectively shall make Affidavit before the said Grand Jury that such Public Money has been fairly and impartially levied, and that no more than the Sum authorized by the Treasurer's Warrant, with the customary Collector's Fees, has been collected, to the best of his and their Knowledge and Belief; and every High Constable and Collector as aforesaid may, by Writing under his Hand and Seal, appoint a Deputy Collector or Deputy Collectors, for whom he shall be answerable, to assist him in collecting the Public Money; and every such Bond and any Judgment entered thereon shall vest in and may be sued for by the Treasurer for the Time being, who shall be entitled to continue the Proceedings of any former Treasurer on filing a Suggestion stating his Appointment to such Office, or on his making it otherwise appear to the Court in which such Proceeding may be pending that he is the acting Treasurer.

Affidavit by them of fair Levy.

May appoint Deputies.

Treasurer to issue his Warrants to Collectors after receiving the Copies of Presentments.

Money to be collected and paid in Two Days before next Assizes.

CXLIX. And be it enacted, That the Treasurer of each County shall, within One Month after he shall have received from the Clerk of the Crown the Copies of the Presentments of the preceding Assizes, issue his Warrants to the several Persons who, under the Provisions of this Act, are to be the Collectors for levying and collecting the Sums to be raised off each Barony or County of a City or Town; which Sums every Collector to whom such Warrant is directed is hereby empowered and required to raise and levy, and to pay the Amount to the Treasurer Two Days before the first Day of the next Assizes; and in every such Treasurer's Warrant shall be inserted the Names of the several Manors, Parishes, or Denominations contained in that Portion of the County which such Person is to collect from, as the same is contained in the County Books, Barony Books, and Applotment Tables, and also the whole Sum to be collected by such Person, and the Portion thereof which each Manor, Parish, or Denomination is to pay, according to its Contents in the said Books

and Tables, or as it has been usually rated at; and every such Warrant of every such Treasurer shall be and remain in full Force and Effect for the Term of Two Years next after the Date thereof, notwithstanding the Resignation or Removal of the Person to whom it was originally addressed, unless the Sums required by such Warrant to be levied shall have been received, or unless the Grand Jury of the County shall have re-presented the same.

Treasurer's Warrant to be in force for Two Years.

CL. Provided, and be it enacted, That nothing herein contained shall extend or be construed to extend to repeal an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to make Provision for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in* Ireland, *for the Purpose of the more equally levying of the Rates and Charges upon such Baronies, Parishes, and Divisions respectively*, or any Act or Acts altering or amending the same, or any Act passed or to be passed in this present Session of Parliament consolidating and amending such Acts, but that so soon as the List and Valuation by the said Acts or any of them directed to be made shall be completed and published in Form and Manner therein prescribed, all County Cess Charges whatsoever and all Grand Jury Rate imposed or to be imposed on any County by Presentments of the Grand Jury, or to be raised off any County, or any Barony, Parish, or Division thereof, and all Parish Rates imposed or to be imposed or levied or to be levied under the Authority of this or any other Act or Acts, shall be assessed and levied according to the Proportions specified in such List and Valuation so published, any thing in this Act contained to the contrary notwithstanding.

Nothing herein to repeal 7 G. 4. c. 62. &c.

Assessments shall be levied according to Valuations made, so soon as they shall be completed.

CLI. And be it enacted, That every Person authorized to collect and receive Grand Jury Cess shall, within Ten Days after he shall have received the Treasurer's Warrant empowering him to collect and receive the same, deliver or send to the Seneschal or Churchwardens of each Manor, Parish, or Denomination of Land contained in such Warrant, or in case there be no Seneschal or Churchwarden of the same, then to any principal residing Inhabitant, if he shall be required so to do by any Two Landholders of any such Manor, Parish, or Denomination of Land, or if he shall deem it necessary so to do, an Account in Writing, signed by himself, of the Sum he is required by the said Warrant to levy upon the said Manor, Parish, or Denomination, and to desire that the said Sum may be applotted thereon; and every Person who shall receive such Account is hereby required, under the Penalty of Ten Pounds, to be recovered by Civil Bill by any Person who shall sue for the same, to post up, within Six Days after the Receipt thereof, on the Door of the Church, or the usual Place for posting Notices in said Manor, Parish, or Denomination, a Notice, signed by himself, setting forth that the Landholders and Inhabitants of [here insert Name of Manor, &c.] are hereby required to meet at [Place of Meeting] on the [here insert a Day not less than Ten Days or more than Twenty from the Date of such Notice], to choose Two or more Persons to applot the Sum of [here insert the Sum] required to be levied upon such Manor, Parish, or Denomination, by the Warrant of the Treasurer of the County; and at such Meeting the Landholders and Inhabitants

Collector of Grand Jury Cess upon Receipt of Warrant to send to the Seneschal an Account of the Money required and desire it to be applotted.

Notice of Meeting of Inhabitants.

Applotters to be chosen, who shall applot the Sum to be levied.

then present shall choose Two or more Persons to be Applotters; and the Persons so chosen shall, within Thirty Days from the Time they shall be so chosen, applot the Sum so to be levied upon such Manor, Parish, or Denomination, fairly and justly, according to the relative annual Value of the several Subdivisions of the Lands and Tenements therein contained, stating as accurately as they can the Name of the Occupier of each Portion of such Lands, and shall make Oath before any Justice of the Peace for such County that they have made the said Applotment justly, according to the best of their Skill, without Favour, Affection, or Malice, the Jurat of which Oath shall be endorsed on the Applotment; and such Applotters shall deliver such Applotment so verified upon Oath to the Person empowered to collect such Grand Jury Cess, under the Penalty of forfeiting for every Day they shall omit to deliver the same after the said Thirty Days the Sum of Ten Shillings, to be recovered by Civil Bill by any Person who shall sue for the same; and the Collector, on receiving such full and sufficient Applotment, is hereby required and authorized to levy the said Money according thereto; and in case no full and sufficient Applotment shall be returned within Thirty-six Days after the Time fixed for the Appointment of the Applotters, then in such Case it shall be lawful for such Collector to levy the full Sum required by the Treasurer's Warrant off such Manor, Parish, or Denomination, according to or in the like Proportions as the Sum levied under the last previous Applotment of such Manor, Parish, or Denomination, or according to the Rate or Applotment pursuant to which it was paid or levied.

Affidavit of Justness of Applotment.

Collector to levy accordingly.

Grand Jury Cess may be levied by Distress and Sale.

CLII. And be it enacted, That every Person duly authorized to collect and levy any Grand Jury Cess off any Barony, County of a City, or County of a Town, as soon as he shall have received the Applotment of such Cess, shall collect and levy the same according to such Applotment, and such Money may be levied by Distress and Sale of any Goods and Chattels of every Person refusing to pay the Proportion therein applotted for him or her to pay, which may be found on the Premises chargeable, rendering to the Owner the Overplus, if any, after deducting the Expences of distraining, not exceeding Twelvepence in the Pound on the Sum for which such Distress may have been made; or in case the Collector shall not think it expedient to proceed by Distress, then and in such Case such Collector shall leave at the Dwelling House of the Party chargeable for or in respect of such Premises a Notice bearing Date the Day and Year of serving the same, subscribed with the Name and Abode of such Collector, requiring Payment of the Sum applotted within Six Days from the Date of such Notice, and expressing that within Six Days the Money demanded may be paid to the Collector at his House or Office; and if such Money be not so paid within such Time, then it shall be lawful for such Collector to prefer a Complaint to any Justice of the Peace for the County in which the Party may reside, and such Justice shall summon the Party so complained against to appear before him and answer the said Complaint, and shall at the Time specified in such Summons examine into the Matter of such Complaint on Oath (which Oath the Justice is hereby empowered to administer), and shall direct the Payment to such Collector of such Money as he shall find due and payable under such Applotment by the Party complained against, together

If not expedient to proceed by Distress, Notice to be left requiring Payment within Six Days, and if not paid in that Time Complaint to be made to a Justice, who shall summon the Party.

together with a Sum certain as and for such reasonable Costs and Charges as to such Justice shall seem meet; and in default of the Appearance of such Party, or upon his or her Refusal or Neglect forthwith to pay the Sum or Sums so by such Justice directed to be paid, it shall and may be lawful for such Justice, or for any Justice of the Peace for such County, to issue his Warrant authorizing and empowering the said Collector to levy the Money thereby ordered to be paid by Distress and Sale of any Goods or Chattels of the Party so complained against which may be found within any Part of such County, rendering the Overplus, if any, to him or her, the necessary Charges and Expences of distraining being thereout first deducted, as directed by such Justice; and if sufficient Distress cannot be found within the same County, then on Oath thereof made before any Justice of the Peace of any other County in which any of the Goods and Chattels of such Party shall be found, (which Oath such Justice shall administer and certify by indorsing in his Handwriting his Name on the Warrant granted to make such Distress,) the Goods or Chattels of such Party so refusing or neglecting to pay as aforesaid shall be subject and liable to such Distress and Sale in such other County where the same may be found, and may by virtue of such Warrant and Certificate be distrained and sold in the same Manner as if the same had been found within such first-mentioned County.

In default of Appearance, Goods of Party may be distrained in any Part of County;

or in any other County, upon Oath before Justice of such County.

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

Grand Jury Cess shall be paid by Person in the Occupation of the Lands and Premises at the Time of the Levy.

CLIV. And whereas Doubts have been entertained as to the Power of the Grand Jury of the County of *Kilkenny* to present any Public Work to be executed either wholly or in part within the Town or Liberties of *Callan*, or any Money to be raised for such Public Work, or for any Public Work or other Purposes for which a Grand Jury may lawfully present, out of the Premises situated within such Town or Liberties, and also as to the Powers of the Treasurer of the said County to include said Town or Liberties in his Warrant; be it enacted, That it shall and may be lawful for the Grand Jury of the County of *Kilkenny* to present that any Public Works which it shall be deemed necessary to execute within such Town or Liberties shall be executed, and such Town and Liberties shall for every Purpose connected with the Execution of any Public Work, or a Presentment for raising Money, or for any other Matter or Thing which any Grand Jury under this or any other Act hereafter to be passed shall have Power to present, be deemed and taken to be a Barony in and of the said County

For removing Doubts as to the Power of the Grand Jury of the County of Kilkenny making certain Presentments.

County of *Kilkenny;* and such Town and Liberties shall, until a Valuation thereof shall be made under some Act for the Valuation of Lands and Premises in *Ireland*, be deemed to contain Three thousand six hundred Acres, and shall according to such acreable Contents be liable to and bear its Proportion of any Public Rate or Charge on the said County.

Treasurer to cause any Public Building to be insured that may be so directed by a Grand Jury.

CLV. And be it enacted, That it shall be lawful for the Treasurer of any County for the Time being to effect a Policy or Policies of Insurance against Fire on any Public Building or other Public Property which he shall be directed by the Grand Jury to insure, and for such Sum as he shall be so directed; and such Policy shall vest in the Treasurer for the Time being, and the Sum thereby secured shall be payable to him as Part of the Public Fund of such County, and shall be applied to Public Purposes from Time to Time as the Grand Jury shall direct by any Presentment sanctioned and approved of by the Judges of Assize at the Assizes at which such Presentment may be made; and the Grand Jury shall have the Power, without any previous Application at the Sessions, and are hereby required, to present, to be levied off the County at large, the Premium and other Charges payable on such Policy, and for continuing the same, and the Treasurer shall from Time to Time pay such Premium.

Drivers to keep the Left Side of the Road.

CLVI. And be it enacted, That the Drivers of every Kind and Species of Vehicle, and all Persons riding or driving any Animal or Animals, laden or unladen, on any Road, or in any Street of any City or Town in *Ireland*, shall keep their Left-hand Side of the Road or Street in going and coming thereon, leaving the other Side free to all other Passengers; and when they may have Occasion to pass any other Persons going in the same Direction with themselves shall in all Cases where it is practicable take and go on the Right-hand of such Persons; and on every Cart, Car, or other Carriage without Springs, on any Road upon which His Majesty's Mails are conveyed in Coaches, or any other Road being a County Road, the Name and Surname and Residence of the Owner of such Vehicle shall be painted in White Roman Letters One Inch long at the least; and every Car or Cart drawn by One Horse shall have a Double Rein extending back to such Car or Cart; and if any Person shall wilfully refuse or neglect to drive or pass in manner aforesaid, or if any Person shall drive any Vehicle on any such Road whereon the Name of the Owner is not painted, or without a Double Rein as aforesaid, it shall and may be lawful for any Magistrate, Constable, or Turnpike Keeper to stop and detain such Offender and the Vehicle and Animal or Animals on which or with which such Offender shall be, and forthwith to carry or convey such Offender before any Justice of the Peace for the County where such Offence shall be committed, or for any Person whatsoever to lodge Information against such Offender before any such Justice; and upon being convicted thereof upon the Oath of One credible Witness, every such Person so offending shall forfeit and pay any Sum not exceeding Five Shillings, to be levied by Distress and Sale of the Goods and Chattels of such Offender, or by Distress and Sale of the Carriage and Horse or Horses or other

Penalty.

Beasts, and the Goods therein or thereon, wherewith such Offender shall have been travelling at the Time of such Offence, such Distress to be made under the Hand and Seal of such Justice, rendering the Overplus (if any), after deducting the said Fine and Expences of such Distress and Sale, to the Owner or Owners, on Demand; One Half of the Amount of the Penalties so levied to be paid to the Informer, and the remaining Half to the Minister or Curate of the Parish in which such Offence shall be committed, for the Use of the Poor of such Parish; and if Distress sufficient for such Penalty or Penalties shall not have been seized or found, it shall and may be lawful for such Justice, and he is hereby empowered and required, to commit such Offender so convicted to the Common Gaol for any Time not exceeding One Calendar Month, unless such Offender shall sooner pay and satisfy the said Penalty or Penalties; and every Person offending as aforesaid shall likewise be liable to pay and satisfy the Damages which shall happen in consequence of any such Neglect or Default as aforesaid.

No House to be built within 30 Feet of the Centre of any Road.

CLVII. And be it enacted, That no House or Part of a House shall be built within Thirty Feet of the Centre of any Road, or within Fifteen Feet of the Side thereof (except in the Streets of Corporate or Market Towns); and that if any Person shall offend herein, every such Person shall upon Conviction before any Justice of the Peace forfeit and pay the Sum of Ten Pounds, and the further Sum of Twenty Shillings for every Week after such Conviction until the same shall be pulled down or removed; and no Limekiln or Windmill shall be built within One hundred Feet of the Centre of any public Road; and it shall be lawful for any Justices at a General Sessions of the Peace to direct any House, Limekiln, or Windmill built or building contrary to this Act to be pulled down, and to issue their Orders to any Constable or Constables for that Purpose, which Order every Chief and other Constable shall aid and assist in executing; and the Centre of the Road for the Purposes of this Act shall be deemed to be the Centre of the Part thereof made with Gravel or small Stones.

No Limekiln or Windmill shall be built within 100 Feet of the Centre of any public Road.

Swine wandering on Roads may be seized and impounded, and Owner fined, &c.

CLVIII. And be it enacted, That it shall be lawful for any Person whatsoever to seize and impound, or cause to be seized or impounded, any Swine or Beast which shall be found wandering upon any public Road, or about the Streets or Passages of any Town, in case the Owner thereof shall not be known; and it shall be lawful for any Justice of the Peace to fine the Owner of such Swine or Beast any Sum not exceeding Two Shillings, and in case such Penalty, and the Expences of impounding and detaining the same when it shall be so impounded, shall not be paid within Four Days after imposing such Fine or after impounding the same, to cause such Swine or Beast to be sold, and out of the Money arising from the Sale thereof to pay such Penalty, and Expences of impounding, keeping, and selling the same, rendering the Overplus (if any) to the Owner, due Notice having been previously given of such Sale, in which shall be inserted the Name of the Parish and Townland where such Swine or Beast was seized, which Notice shall be posted up in some conspicuous Place in the Parish where such Beast was seized, and at the Place where

Notice of Seizure to be posted.

where impounded, Forty-eight Hours at the least before the Time of Sale.

Persons scouring or filling any Ditches without Consent of Surveyor; or Owners who do not scour Ditches or Drains within Ten Days after Notice; or Persons who ride or drive unnecessarily on Footpath or leave Obstructions or Nuisances on any Road;

CLIX. And be it enacted, That if any Person shall scour, deepen, widen, or fill up any Ditch or Drain on the Side of any Road without the Consent or Direction of the County Surveyor; or if the Owner or Occupier of any Lands contiguous to any public Road shall omit to scour any Ditch or Drain leading from such Road, so as to allow the Water to pass away, within Ten Days after Notice shall be given to him or her so to do by such Surveyor or by the Contractor for the Repairs of such Road, or shall suffer the Passage of the Water to be obstructed by making or leaving any Way or Passage from any Road into the Lands adjoining to his or her House without a sufficient Pipe, Sewer, or Gullet underneath it; or if any Person shall ride or drive any Horse, Beast, or Cattle of any Description willingly and unnecessarily on any Footpath; or shall steep or dry any Flax, or burn any Bricks or Lime, or any Weeds or Vegetables for Ashes, upon any public Road, or within Thirty Feet of the Centre of any such public Road; or shall make any Kind of Fire upon any public Road; or shall cut any Turf or make any Turf Stack on any public Road, or within Thirty Feet of the Centre thereof; or build any Wall, or make any Ditch, or dig any Pit or Drain, on any public Road, or within Thirty Feet of the Centre thereof, unless by Authority of a Presentment; or shall lay any Dirt, Dung, Turf, Straw, Rubbish, or Scourings of any Ditches or Drains, or any Stones, Bricks, Timber, Sand, Clay, or Lime, on any public Road, or within Thirty Feet of the Centre thereof; or shall leave on any public Road any Plough or Harrow, or any Cart, Car, Dray, or other Carriage, without the Horse or Horses or other Beast or Beasts being harnessed thereto, unless such Carriage shall have been accidentally broken down there; or shall spread any Linen, Blanket, or Cloth for winnowing Corn within Thirty Feet of the Centre of any public Road; or shall leave any dead Beast on any Road, or within Thirty Feet of the Centre thereof, unless in a House or Yard inclosed with Walls; or shall beat any Flax, or thrash or winnow any Corn, or erect any May-pole or May-bush or Sign-post, on any Road; or shall keep any Cur, Dog, Mastiff, or Bull Dog, without having a Block of Wood of the Weight of Five Pounds at the least fastened to the Neck of such Dog, within Fifty Yards of any public Road; or shall, without the Consent of such Surveyor or Contractor, scrape any public Road, or cut any Sods or Turf on the Side of any such Road, or take any Earth, Clay, Stone, or Gravel therefrom; or shall lead or drive any Car or Carriage with Timber, Boards, or Iron laid across, so as that either End shall project Two Feet beyond the Wheels or Sides thereof; or shall draw any Timber or Stones along any Part of a public Road, without being supported by Wheels from touching the same; every Person so offending shall, upon Conviction by Oath of One credible Witness, before any Justice of the Peace within his Jurisdiction, or upon the View of any Justice, forfeit and pay a Sum not exceeding Twenty Shillings for every such Offence; and it shall be lawful for any such Surveyor or Contractor to fill up any Ditch or Drain which shall be scoured, deepened, or widened, or to scour any Drains which have been filled on the Side of any Road, without such Direction or Consent

or without Consent of Surveyor or Contractor shall scrape any public Road;

to forfeit not exceeding 20s.

Surveyors may fill Drains, &c.;

sent, and to scour or deepen any Drain or Ditch leading from any Road which shall be omitted to be scoured or deepened after such Notice as aforesaid, and to remove any Way or Passage from any Road into any adjoining Land or to any House which may obstruct the free Passage of the Water, and to re-make the same by building a Gutter, Sewer, or Arch therein; and it shall be lawful for any such Surveyor, or for any other Person by the Order of any Justice of the Peace or any such Surveyor, to remove any Bricks, or Weeds or Vegetables for making Ashes, or other Materials, which shall be burning, or any Flax which shall be steeped or drying, contrary to the Provisions of this Act, and to pull down any Sign-post, May-pole, or May-bush, and to pull down or fill up and level any Wall, Drain, or Ditch which shall be built or made or begun to be built or made contrary to this Act, and to remove the Carcase of any dead Beast which shall remain in or near any public Road contrary to this Act, and to levy the Expence of so doing by Distress and Sale of the Goods of the Offender, or of the Occupier of the Lands adjoining the Place where such Nuisance shall be committed, rendering the Overplus (if any) to the Owner, after deducting the Sum of One Shilling in the Pound for the Expence and Trouble of taking such Distress.

and any Person by Order of Justice may remove Nuisances;

and levy the Expences thereof.

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

Surveyors, &c. not liable to Penalties for Acts done in the Discharge of their Office; but fineable in certain Cases.

CLXI. And be it enacted, That if any County Surveyor or Contractor for the repairing of any public Road in any County shall think that such Road is prejudiced by the Shade of any Hedges or Trees (except those planted for Ornament or Shelter of any Dwelling House, Court Yard, or Garden), or if any Obstruction is caused in any public Road by any Hedge or Tree, it shall be lawful for such Surveyor or Contractor, and they are hereby each or either of them authorized, to require the Owner of the Land on which such Hedges or Trees are growing to cause such Hedges to be cut or plashed, or such Trees to be pruned or lopped, so as that such Road may not be prejudiced or obstructed by the same; and if such Owner shall not comply with such Request within Ten Days, it shall and may be lawful for such Surveyor or Contractor, and they are hereby respectively authorized and required, to summon such Owner before the Justices assembled at any Petty Sessions for such County, to show Cause why he has not complied with such Request; and if such Justices shall order and direct

Surveyor or Contractor may require Owners of Land to prune Hedges or Trees injuring Roads.

Owners not complying to be summoned before Justices at Petty Sessions.

Justices may order Hedges or Trees to be pruned by Owner;

on Refusal of Owner, Surveyor or Contractor may do it.

Owner to pay Expences, which may be levied by Distress and Sale.

Proviso.

direct that such Hedges shall be cut or plashed, or such Trees pruned or lopped, and if the said Owner shall not obey such Order within Ten Days after the making of the same, it shall and may be lawful for such Surveyor or Contractor to cut or plash such Hedges, or to prune or lop such Trees, for the Benefit and Improvement of such Road, and to remove such Obstruction as aforesaid, to the best of their Skill and Judgment; and the said Surveyor or Contractor shall be reimbursed by the said Owner what Charges and Expences he shall be at in cutting or plashing such Hedges, or pruning or lopping such Trees; and it shall be lawful for such Justices at Petty Sessions as aforesaid to direct such Charges and Expences to be levied by Distress and Sale of the Goods and Chattels of such Owner in such Manner as other Distresses and Sales for Forfeitures are authorized and directed to be levied by virtue of this Act: Provided always, that no Person shall be compelled, nor any such Surveyor or Contractor permitted, to cut or prune any Hedge at any other Time than between the last Day of *September* and the last Day of *March*.

Power of Surveyors and Contractors to dig for Materials;

and to make Drains.

Satisfaction for Damage to be assessed by Three Householders.

CLXII. And be it enacted, That every County Surveyor and every Contractor for any Work to be executed by Grand Jury Presentment shall have Power and Authority to dig for, raise, and carry away in or out of any Lands, not being a Deer Park, Bleach Green, Orchard, walled Garden, Haggard, or Yard, or planted Walk, Lawn, or Avenue to a Mansion House, any Gravel, Stones, Sand, or other Materials, whether the same be found in the same or any adjoining County, which may be wanted for the building, rebuilding, enlarging, or repairing any Bridge, Arch, Gullet, Pipe, or Wall, or for the making, repairing, or preserving any Road or Footpath; and such Surveyor or Contractor is hereby further empowered to make Drains in order to carry off Water which might injure any Bridge, Gullet, Arch, Pipe, Wall, or Road, in or through any Lands, not being a Deer Park, Bleach Green, Orchard, walled Garden, Haggard, or Yard, or planted Walk, Lawn, or Avenue to a Mansion House, and shall make such Satisfaction for the Damage done thereby, or by taking any such Materials as aforesaid, as shall be assessed by Three substantial Householders, which Householders shall view the Ground immediately previous to and immediately after such Damages shall be committed, one of such Householders to be named by the Owner or Occupier of the Land, and another by the Surveyor or Contractor, and the third by any neighbouring Justice of the Peace; and in case any Surveyor or Contractor shall refuse, or after Four Days Notice in Writing from such Landholder, neglect to name a Householder on his Part, then one shall be named for him by such Justice; and such Three Householders shall be sworn by such Justice of the Peace (previous to the Damage being committed), to be Appraisers of such Damages as may occur, and to make a true Estimate thereof, in which Estimate the Value of any Stones, Gravel, or other Materials shall not be included, but only the Waste committed by breaking the Surface and making a Passage through the Land, unless where such Stones, Gravel, or Materials shall be taken from any Quarries and Gravel Pits *bonâ fide* demised with liberty to work the same: Provided nevertheless, that it shall not be lawful for any such Contractor or Surveyor to enter any Lands for any such Purpose against the Will of the Occupiers thereof without the previous

previous Order of a Justice of the Peace, which Order any such Justice is hereby authorized and required to grant on its being proved to his Satisfaction that the Gravel, Stones, or other Materials sought cannot be conveniently procured elsewhere, nor such Drain otherwise sufficiently made or cleansed.

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

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

Penalty.

Penalty for assaulting Surveyors or Contractors, or for injuring Public Works.

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

Proceedings in case any Public Work

CLXV. And be it enacted, That in case at any Time hereafter any Public Work erected or repaired by Presentment of a Grand

erected by Presentment shall be wantonly injured.

Jury shall be wantonly or maliciously damaged or destroyed, it shall be lawful for the County Surveyor and he is hereby required to apply at the Presenting Sessions of the District in which such Work is or was situate, holden next after the Discovery by him of such Damage or Destruction, for the Repair or Reconstruction of such Work, and such Proceedings shall be had on such Application as on any other Application by such Surveyor, save only that in case any Presentment shall be made by the Grand Jury in consequence thereof, the Amount of such Presentment shall be levied either off of the Parish in which such Work is or was situate, or such Portion thereof as the Grand Jury shall think proper.

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

CLXVI. And be it enacted, That every Person who shall require any Presentment for Fees, Poundages, Salary, or other Contingency, or Payment whatsoever, for which Grand Juries are authorized by the Provisions of this Act to make Presentments without previous Application to Presentment Sessions, shall lodge an Application for the same, with a full Detail of the Particulars and Amount thereof, with the Secretary of each Grand Jury Six clear Days at the least previous to the Day appointed for impannelling such Grand Jury; and such Secretary shall insert 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.

Dublin Gand Juries to transact Fiscal Business in open Court.

CLXVII. And be it enacted, That from and after the Commencement of this Act the Grand Juries of the County and of the County of the City of *Dublin* respectively shall transact the Fiscal Business of their several Counties in open Court, any Act or Acts now in force in *Ireland*, or any Usage, to the contrary notwithstanding.

No Stamp Duty upon Contracts and Recognizances under this Act.

CLXVIII. And be it enacted, That no Contract for any Public Work under the Provisions of this Act, or any Recognizance to be entered into for the Execution of the same by virtue of this Act, shall be liable or subject to any Stamp Duty imposed by any Act or Acts passed or to be passed, unless specially mentioned therein; and whenever the Amount of any such Contract, or the Sum for which any such Recognizance shall be conditioned, or the Sum sought to be recovered by virtue of such Recognizance or Contract, shall not exceed the Sum of One hundred Pounds, it shall be lawful to proceed against any such Contractor or his Sureties for such Sum, or for Damages for the Breach of any such Contract, by Civil Bill before the Assistant Barrister at the Quarter Sessions for the County where such Work shall be situate, or in the County or City of *Dublin* before the Chairman of *Kilmainham* or the Recorder of the City of *Dublin* respectively; and the said Assistant Barrister, Chairman, and Recorder shall have full Power to hold Plea thereof, and the same shall and may

Proceedings for Breach of Contract before Assistant Barrister under certain Amount.

be proceeded on in like Manner in all respects, and the like Decree or Judgment and Execution shall and may be had thereon, and also the like Benefit of Appeal, and of Proceedings, Judgment, and Execution thereon, as in case of any other Sum or Demand which may now by Law be had or used before such Judge.

Forfeitures to be levied by Distress and Sale, and if not otherwise directed, divided between Informers and some Hospital.

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

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

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

General Issue may be pleaded.

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

Justices not to take Money for Affidavits.

CLXXII. And be it enacted, That it shall not be lawful for any Justice of the Peace or any other Person to demand or take any Sum of Money or any Reward for swearing any Affidavit to be made by virtue of this Act; and if any Person shall wilfully swear or affirm or declare

False swearing punishable as Perjury.

declare falsely in any Oath or Affirmation or Declaration made or taken by Authority or under any of the Provisions of this Act, every such Person, being thereof convicted, shall be adjudged guilty of wilful and corrupt Perjury, and incur the Pains and Penalties in such Case by Law provided; and it shall and may be lawful for any Grand Jury, without any previous Application to Presentment Sessions, to make such Presentments for defraying the Prosecution of such Delinquent as to them may seem fitting and expedient.

Weights and Measures.

CLXXIII. 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 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*, and by an Act passed in the Fifth and Sixth Year of His present Majesty, intituled *An Act to repeal an Act of the Fourth and Fifth Year of His present Majesty, relating to Weights and Measures, and to make other Provisions instead thereof;* any Law, Usage, or Custom to the contrary notwithstanding.

5 G. 4. c. 74.

5 & 6 W. 4. c. 63.

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

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

Notices, &c. not to be impeached on technical Grounds.

Baronies, &c. may be divided, or may be united.

CLXXV. 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; provided such Barony shall contain Forty-five thousand Acres, but not otherwise; and it shall be lawful for any Grand Jury to unite any Two Baronies, or any Barony or any Portion of any Barony or Baronies, into One, for the Purposes of this Act, provided the Baronies or Portions so united shall not contain more than Forty thousand Acres.

Certain Counties may be di-

CLXXVI. And whereas, from the great Extent of certain Counties in *Ireland*, and the inconvenient Situation of the Towns where the Assizes are now held in respect to other Parts of said Counties, it

may

may be expedient that a Second Assize Town should be appointed at which Assizes shall be holden for Part of said Counties, and for that Purpose that the said Counties should be divided into Two Districts or Ridings; be it therefore enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council, to order and direct that any County in *Ireland* shall be divided into Two Ridings or Districts, and to direct and appoint what Baronies or Half Baronies or other Portions of Land shall be contained in each of said Ridings, and to order and direct that Assizes and Sessions under the Commissioners of Assize and General Gaol Delivery, and other Commissions for the Dispatch of Civil and Criminal Business, or that any special Commission or Commissions of Oyer and Terminer and Gaol Delivery, should be holden in and for any County which now is or hereafter may be so divided at such Town within the same as shall be deemed most expedient for the Purpose, in addition to and in like Manner as the same are now holden at the usual Assize Town.

vided into Two Ridings or Districts.

CLXXVII. And be it further enacted, That it shall and may be lawful for said Lord Lieutenant or other Chief Governor or Governors, with such Advice as aforesaid, to make Rules and Regulations touching the Venue in all Cases, Civil and Criminal, then depending or thereafter to be depending and to be tried within said Divisions or Ridings of any such County, and touching the Alterations of any Commissions, Writs, Precepts, or other Proceedings thereby made necessary, and touching the Attendance and Liability of Jurors, whether Grand Jurors, Special Jurors, or Common Jurors, at such Assizes, or at any Sessions to be holden for such Ridings or Divisions, and to make such Orders, Rules, and Regulations for the building or fitting up of any Gaol or Court House in such Town so to be appointed as the Assize Town of any such Riding, and for ascertaining the Proportions to be borne by each Division or Riding of all Presentments or other Fiscal Charges affecting the County at large, and to make all such Rules, Orders, and Regulations touching all other Presentments as may be rendered necessary from Time to Time in consequence of the Division of said County, and all other Rules, Orders, and Regulations as may be necessary for carrying into full and complete Effect the Object of having Two Half-yearly Assizes holden in and for said County in manner aforesaid; and all such Rules, Orders, and Regulations shall be inserted in the *Dublin Gazette*, and notified in such other Manner as Orders of the Lord Lieutenant in Council are usually notified: Provided always, that such Division of said County for the Purposes aforesaid shall not be deemed, construed, or taken to damage, alter, limit, or abridge any Power, Authority, Jurisdiction, Right, Duty, or Privilege of any High Sheriff, Sub-Sheriff, or Justice of the Peace or other Magistrate of the said County, or to affect the holding of an Election of a Member or Members to serve in Parliament for such County, which shall continue to be holden at the Town at which it is now by Law required to be holden until Parliament shall otherwise direct.

Lord Lieutenant to make Rules and Regulations touching the Venue in all Cases to be tried within the said Divisions, and all other Matters consequent upon such Division.

Not to abridge the Rights of Sheriffs, &c.

CLXXVIII. And be it further enacted, That in all Cases where by this or any Act or Acts now in force in *Ireland* Repayment is to

Repayment of Money advanced

out of the Consolidated Fund.

to be made by Grand Jury Presentment of any Money advanced out of the Consolidated Fund or from any other Public Fund, the same shall from and after the passing of this Act be paid and payable unto such Bank or Person and in such Manner as the Lord High Treasurer, or the Lords Commissioners of His Majesty's Treasury, or any Three of them, shall from Time to Time think fit to direct and appoint.

If Grand Jury refuse or neglect to present Money which ought to be presented to repay Monies advanced out of the Consolidated Fund, the Court shall make an Order which shall have the Form of a Presentment.

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

No Presentment for such Repayment unless demanded within Five Years, &c.

CLXXX. And be it further enacted, That in case at any Time after the passing of this Act any Sum of Money shall be advanced out of the Produce of the Consolidated Fund, which is to be repaid wholly or in part by a Presentment of any Grand Jury in *Ireland*, it shall not be lawful to make any Presentment for repaying the same or any Part thereof unless the same has been demanded within Five Years next before the making of such Presentment, except only where the same is to be repaid by Instalments.

Saving for Repayment of Advances under 5 & 6 W. 4. c. 48.

CLXXXI. And be it enacted, That nothing herein contained shall be construed to affect or limit the Powers of any Grand Jury in *Ireland* to present for the Repayment of Advances made under and by virtue of an Act passed in the Fifth and Sixth Year of His present Majesty's Reign, intituled *An Act for the better Preservation and more speedy Punishment of Offences endangering the Public Peace in* Ireland; and the Presentments authorized to be made by the said last-recited Act may be made without previous Application to Presentment Sessions.

Treasury may direct 8,000*l.* recovered from late Treasurer of Tyrone to be paid to the new Treasuser, for Payment of Contractors, &c.

CLXXXII. And whereas divers Sums of Money have been from Time to Time advanced by the Lords Commissioners of the Treasury, under the Provisions of certain Acts of Parliament, for the Execution of Public Works in the County of *Tyrone*, and for other public Purposes in the said County: And whereas Proceedings have been taken against the late Treasurer of the said County and his Sureties for the Recovery of a considerable Balance on account of such Advances which ought to have been repaid by him, and the Sum of Eight thousand Pounds has been recovered thereunder: And

whereas, by reason of the Default and Insolvency of the said Treasurer, great public Inconvenience will arise if the Contractors and others who have Demands against the said County shall remain unpaid; be it therefore enacted, That it shall and may be lawful for the said Lords Commissioners of the Treasury to authorize and direct the said Sum of Eight thousand Pounds, so recovered as aforesaid, to be paid to the new Treasurer of the said County of *Tyrone*, to be by him applied, in like Manner as any Money levied off such County by Grand Jury Presentment in his Hands, to the Payment of such Contractors and others, and to such other like Purposes as any Money arising in his Hands as such Treasurer may be by Law applicable.

Grand Jury empowered to present the said Sum of 8,000*l.* to be levied off the County by half-yearly Instalments.

CLXXXIII. And be it enacted, That in consideration of the Advance of the said Sum of Eight thousand Pounds it shall and may be lawful for the Grand Jury of the said County at the next Assizes after the passing of this Act, and they are hereby required, to present the said Sum of Eight thousand Pounds to be levied off the said County by Sixteen half-yearly Instalments of Five hundred Pounds each; and the Treasurer of the said County shall and he is hereby required to insert the said Sum of Five hundred Pounds in his Warrant for raising or levying the Sums presented at the said next Assizes, and in like Manner, without further Presentment or Authority in that Behalf, to insert a like Sum of Five hundred Pounds in his Warrant for raising or levying the Sums presented at each succeeding Assizes, until the whole Sum of Eight thousand Pounds shall be so raised and levied off such County, and the same shall be raised and levied accordingly; and the said Treasurer shall pay over the said several Instalments when and as each of them shall be raised and levied to such Bank or Person, and in such Manner, as the said Lords Commissioners of the Treasury shall direct.

Commencement of Act.

Presentments made before Commencement of this Act to be accounted for under former Acts.

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

Act to extend only to Ireland.

CLXXXV. And be it enacted, That this Act shall extend only to that Part of the United Kingdom called *Ireland*.

Act may be altered.

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

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (Z.)—FORM (A.)

I *A. B.* of [*here insert the Name and Place of Abode of the Justice taking this Declaration*] do declare, That I am a Justice of the Peace of the County [*here insert the Name of the County for which the Presentment Sessions is holden*], and that I will truly, faithfully, and impartially do and perform all such Acts, Matters, and Things as I am authorized to do and perform by and under the Provisions of an Act passed in the Year of the Reign of 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 honestly judge and determine, according to the Evidence and to the best of my Judgment and Ability, upon the several Applications and other Matters which may be brought before me under the Authority of the said Act.

Witness my Hand .

SCHEDULE (Z.)—FORM (B.)

I *A. B.* of [*here insert the Name and Place of Abode of the Cess Payer taking this Declaration*] do declare, That I will truly, faithfully, and impartially do and perform all such Acts, Matters, and Things as I am authorized to do and perform by and under the Provisions of an Act passed in the Year of the Reign of 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 honestly judge and determine according to the Evidence, and to the best of my Judgment and Ability, upon the several Applications and other Matters which may be brought before me under the Authority of the said Act.

Witness my Hand .

SCHEDULE (Z. —FORM (C.)

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.

SCHE-

SCHEDULE (X.)—Form (A.)

Form of Application for making a new Line of Road.

County of } We, of and of do certify, That in our Opinion it would be useful to make a new Line of Road from to between and and that such new Line of Road is Perches in Length, and that said Perches are in the Townland [*or* Townlands] of in the Barony [*or* Baronies] of in this County, and we propose that Presentment for such Purpose be made under and by virtue of Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*], and that the Expence of the same shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony *or* Baronies of].

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

SCHEDULE (X.)—Form (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 the said Perches are in the Townland [*or* Townlands] of between the Houses and Lands of *A.* and *B.* all in the Barony of in this County; and that the same are in need of Repair; and we propose that the Expence of the aforesaid Repairs shall not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

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

SCHEDULE (X.)—Form (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 Townland [*or* Townlands] of all in the Barony [*or*

[*or* Half Barony] of in this County, and that every of the same is Feet wide, and no more, in the clear within the Fences; and we are of opinion that it would be useful to the Public using such 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 not exceed Pounds, and shall be defrayed by the County at large [*or* Barony *or* Half Barony of], and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

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

SCHEDULE (X.)—FORM (D.)

Form of Application for making or repairing Footpaths.

County of } WE, of and
of do certify,

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

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

SCHEDULE (X.)—FORM (E.)

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

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

and that Presentment for such Purpose may be made under and by virtue of the Section of the Chapter of [*here set out the Reign*], being an Act for [*here set out the Title of this Act*].

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

SCHEDULE (X.)—FORM (F.)

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

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

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

SCHEDULE (X.)—FORM (G.)

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

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

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

SCHEDULE (X.)—FORM (H.)

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

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

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

SCHEDULE (X.)—FORM (I.)

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

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

(Signed) *A. B.*
Contractor.

SCHEDULE (X.)—FORM (K.)

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

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

(Signed) *A. B.*
Contractor.

SCHE-

SCHEDULE (R.)

I do declare, That I have not directly or indirectly paid any Sum of Money as or for the Subscription of any Person, in order to entitle him to become a Governor of the Infirmary of the County of *or* to qualify him as a Subscriber to the Dispensary of [*as the Case may be*], and that I have not promised or in any Manner engaged to repay, and have not directly or indirectly repaid or secured, and will not directly or indirectly repay or secure, nor has any Person to my Knowledge or Belief, or on my Behalf, given or promised to give to any Person or Persons, or for his or their Use, or at all, any Sum of Money paid or secured or agreed to be paid or secured as a Subscription to the said Infirmary *or* Dispensary, or any Part thereof; and that no Person whose Subscription to said Infirmary *or* Dispensary, or any Portion thereof, has been paid or secured by me, or any Person acting for me or on my Behalf, in order to qualify him to become a Governor of the said Infirmary, has voted for me: And I do declare, that my Appointment to the Office of is totally unconnected with any Arrangement between me and my Predecessor in such Office, and that no Arrangement has been made with him, to my Knowledge or Belief, by any Person on my Behalf.

SCHEDULE (Y.)

Be it remembered, That on the Day of in the Year *A.B.* of in the County of *C.D.* of in the County of and *E.F.* of in the County of came before me [one of the Justices, *or* Chairman, *as the Case may be,*] at a Presenting Sessions held at in the County of and acknowledged themselves to be held and firmly bound to our Sovereign Lord the King, His Heirs and Successors, in the Sum of Pounds, to which Payment they bind themselves, their Heirs, Executors, and Administrators, and their Estates jointly and severally:

WHEREAS the above-bounden *A.B.* has become Contractor for the Execution of a certain Public Work, that is to say [*mention it*], and the said *C.D.* and *E.F.* have become his Sureties for the due Execution of such Work; Now the Condition of the foregoing Recognizance is, That if the said *A.B.* shall within the Time mentioned in such Contract well and truly execute such Work in the Manner required and agreed on by such Contract, then the foregoing Recognizance to be void, otherwise to remain in full Force and Effect.

SCHEDULE (S.)

Table of Classification of Counties, Treasurers Securities, and Salaries of County Officers.

	Counties, Cities, and Towns.						County of Cork.	City of Cork.	City of Dublin.
	Class I.	Class II.	Class III.	Class IV.	Class V.	Class VI.			
Treasurers Securities -	8,000	7,000	5,000	4,000	2,000	1,000	20,000	4,000	
SALARIES:									
Treasurers - - -	370	324	230	185	- -	- -	554	185	
Clerks of the Crown - -	370	324	230	185	74	47	462	185	
Clerks of the Peace - -	370	324	300	277	93	42	554	230	
Secretaries to Grand Jury -	203	185	140	120	37	28	324	111	
Sheriffs - - - -	93	74	56	47	24	10	111	93	
Judges Criers - -	14	12	10	10	5	3	20	10	
Criers at Sessions - -	19	14	12	10	10	6	28	20	
Court House Keeper in County Towns - -	14	14	10	10	10	10	20	20	
Medical Officers of Prisons, viz. Physician, or Surgeon, or Apothecary: In the whole, exclusive of Bill for Medicines -	74	74	65	65	56	37	74	65	
Number of Coroners, not exceeding - - -	4	3	2	2	- -	- -	4		

CLASS I. comprehends the Counties of - { Tipperary, Down, Mayo, Galway, Antrim, Tyrone, Donegal, Derry, Limerick.

CLASS II. comprehends the Counties of - { Clare, Roscommon, Kerry, Armagh, Cavan, Monaghan, Meath, Dublin.

CLASS III. comprehends the Counties of - { Wexford, Kilkenny, Sligo, King's County, Fermanagh, Westmeath, Queen's County.

CLASS IV. comprehends the Counties of - { Waterford, Wicklow, Louth, Longford, Leitrim, Kildare, Carlow.

CLASS V. comprehends the Cities and Towns of - - { Waterford, Limerick, Kilkenny, Galway.

CLASS VI. comprehends the Town of - - { Drogheda.

SCHEDULE (T.)

Salaries for Officers in the County of the Town of Carrickfergus.

	£	s.	d.
Treasurer - - - -	45	0	0
Clerk of the Crown - - -	23	1	6
Clerk of the Peace - - -	24	0	0
Secretary - - - -	13	17	0
Sheriffs - - - -	7	7	8
Judges Crier - - - -	2	0	0
Sessions Crier - - - -	2	0	0
	£117	6	2

For the Clerks of the Crown in the Towns of Youghal and Kinsale, to be presented by the Grand Jury of the County of Cork, £24.

For the Clerks of the Peace for the Towns of Youghal and Kinsale, to be presented by the Grand Jury of the County of Cork, £24.

Note.—Whensoever any Clerk of the Crown for the Counties in the First Class shall execute the Duty of his Office for more than One County of such Class, in every such Case the Salary for such Clerk of the Crown shall, for such Counties of the First Class, be presented at £324. only.

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

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