

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

CAP. LXXXIV.

An Act to amend the Laws for making, repairing, and improving the Roads and other Public Works in *Ireland*, by Grand Jury Presentments, and for a more effectual Investigation of such Presentments, and for further securing a true, full, and faithful Account of all Monies levied under the same. [7th *July* 1819.]

WHEREAS it is highly expedient that the Laws in force in *Ireland*, for the making, repairing, and improving of Roads, and for the building, repairing, and maintaining of Public Works, by the Application of Sums to be raised by Presentments of Grand Juries, should be amended, and that Provision should be made for the more effectual Investigation of all Applications for such Presentments, and for accounting for the Expenditure of the Money raised thereby; 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 passing of this Act, no Affidavit shall be necessary to empower any Grand Jury in *Ireland* to make any Presentment for the making, or repairing, or improving any Road or Footpath, or lowering any Hill, or filling any Hollow in any existing or intended Road, or for building, repairing, or altering, widening or extending, any Bridge, Pipe, Sewer, or Gullet thereon, or for building

No Affidavit required for authorizing Presentments.

ing or repairing any Wall or Part of a Wall necessary to the Support of any Road, or to prevent any steep Banks of Earth from falling upon it, or for erecting any Fence or Railway or Wall for the Protection of Travellers from any dangerous Precipice or Hole, or for filling any Ditches, or making any Fences or Drains, or for building, altering, repairing, or enlarging any Court House, Sessions House, Workhouse, House of Correction, Gaol, County Infirmary or Hospital, or for executing any other Public Work, any Act or Acts in force in *Ireland* to the contrary notwithstanding; but that instead of such Affidavits, Applications made as near as may be in some of the Forms marked A. B. C. D. E. F. G. H. I. K. L. in the Schedule to this Act annexed, accompanied with such Estimates, Specifications, Maps, Plans, Sections, or Elevations as are required by such Schedule to be annexed to each Application respectively, shall, after having been previously taken into Consideration by the Magistrates assembled in Special Sessions in Manner directed by this Act, be the only Authority for empowering any Grand Jury to make Presentments for the Purposes stated in each such Application respectively.

Certain Magistrates to hold a Special Sessions for the Purposes of this Act.

II. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for every Magistrate of any County, County of a City, County of a Town, or City and County in *Ireland*, who shall be seised of a Freehold Estate or Estates, in Fee Simple or in Fee Tail, or for Life, of the annual Value of Three hundred Pounds at the least, situate in any Part of *Ireland*, or who shall be Heir Apparent to any Person so seised, and for every Magistrate who shall be seised or possessed of a Leasehold Estate or Estates for Life, or for a Term of Years, whereof not less than Fourteen Years shall be unexpired, of the yearly Value of Five hundred Pounds at the least, situate in any Part of *Ireland*, or who being seised of a Leasehold Estate for Life, not being of such Value, shall be also possessed of a Leasehold Estate or Estates for a Term of Years as aforesaid, which, together with such Estate for Life shall amount to the clear yearly Value of Four hundred Pounds at the least, in any Part of *Ireland*; and for every Person possessed of the clear Sum of Ten thousand Pounds, over and above all his just Debts, and resident in the County, County of a City, County of a Town, or City and County, wherein he shall be a Magistrate, and for every Magistrate of any City and Liberties, County of a City, County of a Town, or City and County, by virtue of the Charter or Charters incorporating the same; and where in any County of a City, or County of a Town incorporated by Charter, and consisting of a Chief Magistrate, Aldermen, and Burgesses, there shall not be more than Three Magistrates, the Aldermen of the said Corporation shall be entitled to act as Magistrates for the Purposes of this Act; and for every Magistrate being a Rector or Vicar of any Rectory or Vicarage of the yearly Value of Three hundred Pounds, within the County, County of a City, County of a Town, or City and County, wherein he shall be a Magistrate; and for every Magistrate in any County, County of a City, or County of a Town, or City and County, really and *bonâ fide* residing therein, who shall be Agent to the Owner or Owners of any Estate or Estates therein of the annual Value of Six thousand Pounds for the Estate or Estates therein belonging

longing to such Owner, amounting to the said annual Value, whether such Agent shall or shall not be seised or possessed in his own Right of any Estate, to assemble, and all such Magistrates are hereby required to assemble, from Time to Time, and to hold a Special Sessions for the Purposes of this Act, in such Place and Places, and at such Time and Times, and within and for such Baronies, Half Baronies, or other Portions of the County, County of a City, County of a Town, or City and County, for which they shall be Magistrates, as the Grand Jury of such County, County of a City, County of a Town, or City and County, shall from Time to Time have appointed for that Purpose, pursuant to the Directions of this Act, by Presentments at each Assizes immediately preceding.

Places for holding Special Sessions to be appointed.

III. And be it further enacted, That it shall be lawful for the several Grand Juries at the several Summer Assizes next after the passing of this Act, and at every Spring and Summer Assizes following, in every County, County of a City, County of a Town, and City and County in *Ireland*, and they are hereby required to appoint, by Presentment, certain Places within the respective Counties, Counties of Cities and Counties of Towns (not more than One in each Barony or Half Barony,) at which and the Times when the Magistrates of such Counties, Counties of Cities, Counties of Towns and Cities and Counties, qualified as by this Act is directed, shall assemble in Special Sessions to be holden previous to the next ensuing Assizes for such Counties, Counties of Cities, Counties of Towns, and Cities and Counties respectively, for taking into Consideration all Applications which shall be made at such Sessions for any of the Purposes aforesaid, and also for examining all Accounts of the Expenditure of Money presented for the Purposes aforesaid in Manner directed by this Act; and that every Presentment appointing such Places shall likewise appoint and define the Portion of the County, County of a City, County of a Town, or City and County, for which all Applications for Presentments therein are to be considered, and all Accounts of Expenditure therein to be examined, by the Magistrates at each such Place of holding such Sessions; and every Presentment appointing the Time for such Magistrates to assemble at such Special Sessions, shall appoint their First Meeting preparatory to each Assizes to be held at the County Court House, and shall appoint each subsequent Meeting at other Places to be held on such Days successively, as shall seem best suited for giving a Power of full Consideration to the Magistrates in Sessions at each Place, without unnecessary Delay, declaring how many Days the said Meeting may last in such Place; 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 all Applications to be made at such Sessions shall be printed, and distributed by the Secretary to the Grand Jury, previous to the then next ensuing Assizes.

Magistrates before they act, to take the following

IV. And be it further enacted, That every Magistrate shall, before he shall act at any such Sessions, take and subscribe the Oath following, in open Court, in the Presence of any Two other Magistrates assembled at such Sessions, which Oath any one Magistrate is hereby authorized and required to administer; (that is to say),

'I *A. B.*

Oath.

'I *A. B.* of do swear, That I am seised of a Freehold Estate or Estates in Fee Simple [*or*, in Fee Tail, or as Tenant for Life] in Possession, of the annual Value of or that I am Heir Apparent to *C. D.* who is seised of such Estate in Fee Simple or Fee Tail, or that I am seised of a Leasehold Estate for Life, or for a Term of Years, whereof not less than Years are unexpired, of the annual Value of and that such Estate is situate in [*stating in what Part of Ireland the same is situated, and specifying the Name of the Estate or other Description of the Property*] and that the said Estate or Estates is or are *bonâ fide* my Property [*as the Case may be*] and not holden in Trust nor conveyed for the Purposes of an Act [*reciting the Title of this Act*] or that I am seised of a Leasehold Estate or Estates for Life, not being of such Value, and am also possessed of a Leasehold Estate or Estates for a Term of Years as aforesaid, which, together with such Estate or Estates for Life, are of the annual Value of and that such Estates are situate in [*stating in what Part of Ireland the same are situated in, and specifying the Names of the Estates or other Descriptions of the Property*] or that I am possessed of a clear personal Property of over and above all my just Debts and Incumbrances, and that I reside in the County, [County of the City, County of the Town, or City and County, *as the Case may be*] or that I am a Magistrate of the City and Liberty, County of the City of County of the Town, or City and County of [*as the Case may be*] by virtue of the Charter or Charters incorporating the same; or that I am Rector (*or*, Vicar) of the Rectory (*or*, Vicarage) of within the County [*or*, County of a City, County of a Town, or City and County, *as the Case may be*] and which Rectory (*or*, Vicarage) is of the yearly Value of or that I am Agent of the Owner of an Estate (*or*, Estates) in the County [*or*, County of the City, County of the Town, or City and County, *as the Case may be*] of wherein I am a Magistrate, of the annual Value of at least, belonging to such Owner, and that I really and *bonâ fide* reside in this County, and that in the Execution of the said Act I will truly, faithfully, and impartially do and perform all such Matters and Things as I am authorized and required to do by the said Act, without Favour, Affection, Hatred, Malice, or Ill-will, according to the best of my Judgment, upon the Information to be laid before me. So help me GOD.'

List of the Magistrates taking the Oath to be delivered to the Grand Jury.

And that such Magistrate shall preside as Chairman at every Meeting held under this Act, as the Majority of them present thereat shall choose, and such Chairman shall have a casting Voice in case of an Equality of Voices; and every Chairman so presiding shall and he is hereby required to deliver to the Secretary of the Grand Jury of the County, County of a City, County of a Town, or City and County respectively, a correct List, signed by himself, of the Names of all the Magistrates who shall have taken and subscribed such Oath at the Sessions where he had presided; and every such Secretary shall from Time to Time, without unreasonable Delay, deli-

ver the said List, and all the Oaths so made and subscribed, to the acting Clerk of the Peace, to be by him preserved among the Records of the County.

Places to be appointed for public Notices by the Churchwardens.

V. And be it further enacted, That it shall and may be lawful for the Churchwardens of every Parish, and they are hereby required to appoint a Place for posting the Notices required by this Act, and such Appointment shall be promulgated by Advertisements on the Doors of every Place of public Worship within the said Parish, and in case that any Five Persons paying Grand Jury Cess within such Parish shall be dissatisfied with such Appointment, it shall and may be lawful for such Persons to require the Minister and Churchwardens of such Parish to convene a Vestry for the Purpose of taking such Appointment into Consideration, and such Vestry may either approve of such Appointment, or fix some other Place for such Purpose, as they shall think fit; and it shall and may be lawful for such Churchwardens to expend any Sum not exceeding Five Pounds, for the Purpose of preparing and fitting up the Place so appointed, which Sum shall be presented by any Grand Jury of such County, to be paid to such Churchwardens, upon the same being accounted for in like Manner as Public Monies are required to be accounted for by this Act.

Parishes to keep such Places in repair.

VI. And be it further enacted, That the Expence of keeping such Place in Repair for the Purpose aforesaid shall be defrayed by such Parish, and shall be levied off the same by Act of Vestry, in like Manner as parochial Cess at present may be levied.

Notice to be given of Applications to Special Sessions.

VII. And be it further enacted, That a Notice in Writing of every Application intended to be submitted to Magistrates at Special Sessions to be holden for the Purposes of this Act shall be posted by or on behalf of the Person or Persons intending to make such Application at the Place appointed in Manner aforesaid, within such Parish wherein the Road or Work to which such Application shall relate is proposed to be executed, between the Hours of Nine and Twelve in the Forenoon on the *Saturday* next but one previous to the Day appointed for holding such Special Sessions.

Application and Papers to be lodged with Secretary of Grand Jury.

VIII. And be it further enacted, That every such Application, together with the Estimates, Specifications, Maps, Plans, Sections, and Elevations severally annexed to the same, shall be lodged by the Parties by whom or on whose Behalf such Applications shall be made with the Secretary of the Grand Jury, Ten Days at the least before the Day appointed by the Grand Jury for holding of the first Special Sessions, preparatory to the Spring or Summer Assizes respectively in each Year; and the said Secretary is hereby required to keep an Office open for the Purpose of receiving such Applications, during Fifteen Days immediately preceding the Day such Notices are required to be lodged with the Secretary; and such Secretary shall, with all convenient Dispatch, after Receipt of such Applications, arrange and number the same to the best of his Skill and Judgment, according to the several Portions of the County, County of a City, County of a

Town, or City and County, in which the Work applied for is proposed to be executed, 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, at every Sessions of Magistrates under this Act, lay before the Magistrates all the Applications and Estimates, and other Papers relating thereto respectively, which shall have been lodged with him, or delivered at his Office as aforesaid, respecting the Execution of any Work within the Portion of the County, County of a City, County of a Town, or City and County for which such Sessions shall be held, together with the Abstract thereof and Index thereto.

Compliance with the above Directions to be examined into.

IX. And be it further enacted, That it shall be lawful for the Magistrates so assembled in such Special Sessions, Three at least always being present, and they are hereby authorized, empowered, and required to examine into the posting or serving of the Notices of Applications, and the Lodging of all such Applications and the Estimates, Plans, and other Papers required, with the Secretary of the Grand Jury, as directed by this Act, or the Delivery of any Maps, Plans, Sections, or Elevations to the Treasurer of the County, and also to examine every Person making or signing any Application, or any Estimate, Specification, Map, Plan, Section, or Elevation in respect thereto, and every other Person whom such Magistrates shall think it proper or requisite to examine; and in case of the Death or necessary Absence, by Sickness or other Casualty, of any Person who shall have made and signed any Application, Estimate, Map, Plan, Section, or Elevation, to examine into the Proof of his having made and signed the same; and all Persons previous to being so examined shall be sworn in open Court to make true Answers to all such Questions as shall be asked of them, touching any such Application, or the posting or serving Notices, or the lodging or delivering the same with the Secretary to the Grand Jury, or the Treasurer of the County, or respecting the proposed Work for which the said Applications shall be made, and the Jurat of every Oath or Affidavit made by any Person so examined shall be signed by the Chairman and One other of the Magistrates present at such Sessions; and it shall be lawful for any Person paying County Cess, and desirous of Information respecting the Particulars of such proposed Work, to examine, with the Approbation of the Court, such Persons as have signed and sworn to such Applications; and the said Magistrates so assembled shall, after such Examination, proceed to consider every such Application, and every such Application which shall be approved of by the Majority of the Magistrates at such Sessions, not less than Three being present, shall be signed by the Chairman, with the Word "approved," and such of the said Applications which shall be disapproved, shall be signed by the Chairman, with the Word "disapproved," together with the Cause of such Disapprobation; and if such Disapprobation should arise from the proposed Estimate being considered too high, then the Chairman shall mark on the Back of the Application what Estimate the Majority of the Bench of Magistrates should consider sufficient for executing the proposed Work; and the said Chairman shall deliver all such Applications, whether approved or disapproved, with

with the several Estimates and all other Papers relating thereto, to the Secretary of the Grand Jury, to be by him laid before the Grand Jury at such next ensuing Assizes.

Secretary of Grand Jury to prepare Schedules of Applications.

X. And be it further enacted, That the Secretary of the Grand Jury shall without Delay make and prepare Schedules of the Contents of all Applications delivered to him by the Chairman of the Magistrates at such Sessions, including, in separate Schedules, the Amount of the several Sums proposed by such Applications to be charged and raised on the County at large, and upon each Barony and Half Barony, and specifying the Amount of the Charge which the said Sums, so applied for to be raised on the County at large, would, if presented, occasion on each Barony or Half Barony, particularizing separately the Charge arising from the Presentments on the Barony or Half Barony, and the Proportion of the Sum to be raised on the Barony or Half Barony in consequence of the Charge on the County at large, and numbering the Applications in each Schedule in arithmetical Progression, beginning with Number One, and noting by the Words "approved" or "disapproved" thereon the Opinion of the Magistrates on each Application; and such Secretary shall forthwith cause a Number of Copies of such Schedules to be printed and distributed before the next ensuing Assizes, among the several Magistrates, and such other Persons as usually compose the Grand Panel of the County, County of a City, or County of a Town, to which such Secretary belongs, not exceeding such Number as shall have been authorized and directed by the Grand Jury at the Assizes immediately preceding, according to the Directions of this Act; and the said Secretary shall, on the Day when the Grand Jury shall be sworn at such ensuing Assizes, deliver One Copy of the said Schedules, together with the several Applications, Estimates, Plans, and other Papers and Matters annexed to each Application, to the Foreman of the Grand Jury, and shall also deliver another Copy of the said Schedules to the Judge of Assize, and the said Secretary shall keep another Copy of the said Schedules in his Office for the Inspection of the Public, during Four complete Days at least immediately before the Commission Day of such Assizes.

Presentments to be numbered, and may be refused by Grand Jury.

XI. And be it further enacted, That the Grand Jury at such Assizes shall cause all Presentments which they shall make upon the Applications so laid before them, to be numbered agreeable to the Numbers in the said Schedules thereof; and it shall be lawful for such Grand Jury to make a Presentment on any Application so laid before them, although such Application may have been disapproved of by the Magistrates before whom it was laid; or to refuse to make a Presentment on any Application so laid before them, although such Application may have been approved or disapproved of by the Magistrates before whom it was laid; and also to present any smaller Sum to be expended, or any less Number of Perches to be made, or at a smaller Rate by the Perch, than may be proposed or required by such Application, or to present a Part only of such Sum, at their Discretion.

XII. And

Presentments not to be made, unless entered in Schedules.

XII. And be it further enacted, That no Presentment for the Grounding of which a previous Application is required by this Act to be made to a Special Sessions, shall be made or taken into Consideration by the Grand Jury, nor shall be fiated by the Court at any Assizes for any County, County of a City, County of a Town, or City and County, unless the Application for such proposed Presentment shall be entered in some One of such Schedules, other than and except such Presentments only as are herein-after specially provided for.

In case of Death or Sickness of Persons signing Applications, other Persons to be examined.

XIII. Provided always, and be it further enacted, That in case any Person who shall have signed any Application, Estimate, Specification, Map, or Plan or Section in pursuance of this Act, shall happen to die before the Special Sessions at which it may have been intended that the same should be taken into Consideration, or shall be prevented by Sickness or unavoidable Necessity from appearing at such Sessions, it shall be lawful for the Magistrates assembled there to examine upon Oath, in open Court, any other Person or Persons who shall appear before them, for the Purpose relative to the Matters contained in such Application, or in any of the said Papers, satisfactory Proof being first given that the Person or Persons who had signed any of them is dead, or that he has been prevented by Sickness or unavoidable Necessity from appearing before them; and the Grand Jury may make Presentment on any Application delivered by the Magistrates (after such Examination) to their Secretary; any Thing herein contained to the contrary notwithstanding.

Not to prevent Presentment for the immediate Repair of Post Roads.

XIV. Provided also, and be it enacted, That nothing in this Act or any other Act contained, shall prevent any Grand Jury from making any Presentment for the immediate Repair of such Breaches as may happen in the Winter Season in any Mail Coach Road, or Post Road, under the Provisions of an Act made in the Parliament of *Ireland*, in the Thirty-second Year of His present Majesty's Reign, intituled *An Act for improving and keeping in Repair the Post Roads of this Kingdom*, nor to prevent any Grand Jury from making any Presentment for Payment, in pursuance of any Contract entered into for the Repair of Roads, under the Provisions of any Laws in force at the Time of such Contracts being made, nor to prevent any Grand Jury from making any Presentment of any Sum to be raised for any Purpose, where no previous Application by Affidavit or otherwise, is required by any Law in force in *Ireland*, nor from making any Presentment for Payment of any Money expended by Order of a Justice of the Peace, for repairing any sudden Breach in any Bridge or Road, pursuant to the Provisions of an Act made in the Parliament of *Ireland*, in the Thirty-sixth Year of His present Majesty's Reign, intituled *An Act for the Amendment of Public Roads, for directing the Power of Grand Juries respecting Presentments, and for repealing several Laws heretofore made for those Purposes;* but it shall and may be lawful for any Grand Jury to make any such Presentment in any of the Cases aforesaid, as if this Act had not been had or made; any Thing in this Act, or in any other Act or Acts in force in *Ireland* to the contrary in anywise notwithstanding.

XV. And

XV. And whereas much Inconvenience may arise from Grand Juries not having the Power to present certain Sums for the Repair of sudden Breaches in Roads, Bridges, Gullets, and Walls, which may have occurred previous to the Assizes at which such Grand Jury may be assembled, and subsequent to the last Special Sessions held under the Provisions of this Act; be it therefore enacted, That it shall and may be lawful for any Grand Jury to present such Sum or Sums (not exceeding Ten Pounds) as may appear to them necessary to repair such Breach or Breaches: Provided always, that the Existence of such Breaches, and the Necessity of their immediate Repair, may be satisfactorily proved before such Grand Jury upon Oath, and that such Application shall be made in One of the Forms of the Schedules annexed to this Act: Provided also, that in all Cases where Money may be thus presented, it shall be accounted for under the several Provisions of this Act.

Grand Juries may present Sums not exceeding 10*l.* for Repair of sudden Breaches in Roads and Bridges before Assizes are held.

XVI. And be it further enacted, That every Person intending to account at any Assizes for the Expenditure of any Money presented for the making or repairing, or widening or improving any Road or Foot-path, or lowering any Hill, or filling any Hollow on any existing or intended Road, or for building, repairing, altering, widening, or extending any Bridge, Pipe, Sewer, or Gullet thereon, or for building or repairing any Wall or Part of a Wall necessary to the Support of any Road, or to prevent any Steep Banks of Earth from falling upon it, or for erecting any Fence or Railway or Wall for the Protection of Travellers from any dangerous Precipices or Holes, or for filling any Ditches, or making any Fences or Drains, or for building, altering, repairing or enlarging any Court House, Sessions House, Workhouse, House of Correction, Gaol, County Infirmary or Hospital, or for executing any other Public Work, shall cause a Notice of his Intention of so accounting to be posted at the Place appointed aforesaid, within each Parish, to the Place wherein the Work to be accounted for, or any Part thereof, has been presented to be executed; and if there be no Market House, Church, Chapel, or other Place of Public Worship in such Parish, then on any conspicuous or usual Place therein for posting Notices, between the Hours of Nine and Twelve in the Forenoon on the *Saturday* next but One before the Day appointed by the Grand Jury for the holding of the first Special Sessions, preparatory to the Spring or Summer Assizes respectively in each Year; and such Person shall also cause a Copy of such Notice to be delivered to the Secretary of the Grand Jury, at or before the Time when the same shall be so posted; and such Secretary shall make a Copy of every such Notice, and shall cause the same to be posted without Delay on the Door of the Court House of the County, County of a City, County of a Town, or City and County, at which such Assizes are to be holden.

Notice to be given of accounting for Expenditure.

XVII. And be it further enacted, That the Secretary to the Grand Jury shall make a Schedule of all such Notices, and shall annex to each the Number affixed in the Quere Book to the corresponding Quere which the Person accounting proposes that his Account shall discharge; and every Person so declaring his Intention to account, shall attend the ensuing Special Sessions, to be holden for the Purposes

Secretary to make a Schedule of such Notices.

poses of the Act, for the Portion of the County, County of a City, County of a Town, or City and County, wherein the Work for which he proposes to account has been executed, with his Account drawn up as near as may be in the Form appropriated thereto in the Schedule annexed to this Act, and signed by himself; and such Person shall be sworn to the Truth of the said Account, by any Magistrate at the said Sessions, in open Court; and such Account shall be examined in open Court by the Magistrates at such Sessions, and on every Account approved by them, the Word "allowed" shall be indorsed, attested by the Chairman and One other Magistrate; and on every Account not approved of by them, the Word "disallowed" shall be indorsed, and the Reason of such Disallowance, and a Note of or Reference to the Items in the Account which may have caused such Disallowance, shall be indorsed thereon or annexed thereto, attested in like Manner; and all such Accounts, Affidavits, Papers and Attestations, shall be delivered without Delay by the acting Clerk of the Peace to the Secretary of the Grand Jury, to be by him laid before the Grand Jury at the then next Assizes, and the same shall be there proceeded on by the Grand Jury, with such Powers and Authorities, and in such Manner as are or is provided respecting the same, by any Act or Acts in force in *Ireland* for that Purpose.

Affidavit of Expenditure.

XVIII. And be it further enacted, That it shall and may be lawful for any Person paying Cess to appear at any Assizes or Special Sessions, to be holden within each County in *Ireland* respectively, and to offer to controvert the Truth of any Accounting Affidavit then produced, on the Ground of the Insufficiency of the Execution of the Work, or the undue or non-expenditure of the Money to which such Affidavit shall relate; provided that the Person offering so to controvert the Truth of such Affidavit as aforesaid, shall give Notice in Writing of his Intention so to do to the accounting Overseer, before the First Day of such Assizes or Sessions, and shall at the same Time that he makes the Objection enter into a Recognizance before a Magistrate, in the Amount of the Sum so sworn to have been expended, conditioned for his Appearance at the next Assizes, or at the next General Sessions of the Peace (as the Case may be), for such District in which said Presentment was granted; and it shall be lawful for the Court, at such Assizes or General Sessions (as the Case may be), and they are hereby required to try the Truth of such Affidavit by a Jury, in the same Manner as any Traverse within the Jurisdiction of such Court ought to be tried; and in case the Truth of such Fact or Facts shall be found, the Accounting Affidavit shall be disallowed accordingly; and it shall not be lawful for the Clerks of the Crown or Clerks of the Peace, or any other Person, to take or receive upon such Traverse any Fee for or in respect of any such Traverse; and it shall be lawful for the Court, before such Trial shall be had, to give such Costs either to the Party controverting such Affidavit or to the accounting Overseer, as such Court shall in either Cases think fit and reasonable.

Presentment not to be paid until the

XIX. And be it further enacted, That it shall not be lawful for the Treasurer of the County to pay the Amount of any Presentment, the

Accounting for the Expenditure whereof shall be traversed, until the Traverse shall be withdrawn, or Judgment shall be given for the Defendant on the Trial thereof. Traverse is decided.

XX. And whereas by an Act passed in the Forty-sixth Year of His present Majesty's Reign, intituled *An Act to amend the Laws respecting the Accounting for Money presented in* Ireland *for the making, repairing, widening or fencing of Public Roads, and the building and repairing of Bridges, Pipes, or Gullets;* it is enacted, that all Expenditure relating to any Presentment not accounted for at the Summer Assizes, may be accounted for at such General Sessions of the Peace to be held in *October* in every Year, as the Grand Jury at the Summer Assizes shall fix on; be it enacted, That from and after the passing of this Act, it shall and may be lawful for every Grand Jury, at every Summer Assizes, to appoint a Special Sessions to be held in Manner prescribed by this Act, by Magistrates qualified according to the Directions of this Act, in the County Court House, in the Month of *October*, subsequent to the General Sessions of the Peace in the said Month; and the Expenditure on such Presentments as shall not have been accounted for at the Summer Assizes, may be accounted for at such Special Sessions, before the Magistrates there present, in the Form and Manner under the Provisions and Regulations by this Act prescribed respecting the Mode of Accounting at Special Sessions of the Peace for Money presented; and that the Account of any Person may be disputed and respited on Recognizance in like Manner at such Special Sessions as is provided by the said recited Act to be done at the General Sessions of the Peace in *October;* and that it shall be lawful for the Treasurer of the County, and he is hereby required to pay all Money whereof the Account shall be approved of at such Sessions, and the Allowance thereof certified by the Attestation of the Chairman and of One other Magistrate, in like Manner as if the Affidavit accounting for the same had been allowed by the Grand Jury and the Court at an Assizes, in Manner required by this Act; and the Queries on all such Presentments shall be respectively discharged, or disallowed, or respited, in Manner required and directed by the said recited Act, according to the Conditions, Restrictions, and Provisions contained in the said recited Act. 46 G. 3. c. 96. Presentments not accounted for at Summer Assizes, may be accounted for at Special Sessions.

XXI. And be it further enacted, That whenever and so often as it shall happen that any Sum of Money heretofore presented, or hereafter to be presented, to be raised off any County, County of a City, County of a Town, or City and County, or any Barony or Half Barony, shall not be expended agreeable to such Presentment, and accounted for within the Space of Two Years next after such Presentment shall have been made, it shall and may be lawful for the Grand Jury of such County, County of a City, County of a Town, or City and County, and they are hereby required, again to present such Sums of Money to be applied to other Purposes, and in like Manner to present any Saving which may be made on any Presentment, to be expended on some other Work within the Barony or Half Barony upon which the former Sum or such Saving was presented to be raised, or in the County, if raised on the County at large: Provided always, that Money not expended agreeable to Presentment, shall be again presented for other Works within the Barony.

that where such Sums are presented to be raised by Instalments for executing any Public Work, it shall not be imperative on the Grand Jury again to present such Sums for other Purposes in Manner aforesaid.

Presentments now made to be accounted for in usual Manner.

XXII. And be it further enacted, That all Presentments made, or Money to be levied, accounted for, or paid, under or in consequence of any Act or Acts in force in *Ireland* at any Time before the passing of this Act, shall be levied, accounted for, and paid in Manner provided by the Acts in force at the Time when such Presentments were made, or subject to the Rules, Regulations, and Provisions contained in the said Acts or in this Act respectively.

Allowance to Secretary.

XXIII. And be it further enacted, That it shall and may be lawful for any Grand Jury at any Assizes to present, to be raised off the County at large, any Sum or Sums of Money not exceeding the Rate of Five Pounds for each Place wherein Special Sessions shall have been holden previous to such Assizes for the Purposes of this Act, as an Allowance or Remuneration to the Secretary of the Grand Jury for his Attendance at such Sessions, and for his performing and executing the Duties required by this Act to be performed by him.

Affidavits from Contractors to be sworn before Magistrates; Presentments for Salaries in certain Cases not allowed.

XXIV. Be it further enacted, That all Affidavits required from Contractors shall be submitted to and sworn before Magistrates at the Special Sessions under this Act; and no Applications shall be made for any Presentment for any Salary or Remuneration to any Person at any Assizes which might have been applied and presented for at any previous Assizes, unless the Person making such Application shall make an Affidavit, stating some Reasons satisfactory to the Grand Jury why such Application was not made at such previous Assizes; and if it shall happen that any Application for any Salary or Remuneration shall be rejected or refused by any Grand Jury at any Assizes, on account of any Neglect or Misconduct in Office of the Party making such Application, it shall not be lawful for any Grand Jury, at any subsequent Assizes, to make any Presentment for any such Salary or Remuneration, in respect of any Period previous to the Assizes at which such Application was rejected or refused.

Grand Jurors present Oath not to extend to Presentments for Works.

XXV. And be it further enacted and declared, That the Oath taken by Grand Jurors in *Ireland*, in such Manner and Form as hath heretofore been practised according to Law, at the several Assizes in *Ireland*, shall not at any Time after the passing of this Act, extend or relate, or be construed or taken to extend or relate, to any of the Duties of Grand Jurors connected with Presentments for the Execution of Public Works.

Oath of Grand Jurors.

XXVI. And be it further enacted, That from and after the passing of this Act, every Grand Juror, immediately after being sworn before the Judge of Assize, in such Manner and Form as hath heretofore been practised according to Law, at the several Assizes in [illegible] shall in open Court at such Assizes also take the Oath following (that is to say),

'YOU shall diligently inquire, on Behalf of the County [*or*, County of the City, County of the 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.'

And it shall and may be lawful for any Grand Juror to disclose any Evidence, or other Matter or Thing whatsoever, relative to the making or refusing of any such Presentment, or relative to the Expenditure of any Money raised by Presentment.

Treasurer, Secretary, &c. not to serve on Grand Juries.

XXVII. And be it further enacted, That from and after the passing of this Act, it shall not be lawful for any Person who shall be Treasurer of the County, or Secretary of the Grand Jury, or Chief Constable, or Collector of any Barony, or Clerk of the Crown, or Clerk of the Peace, to serve upon the Grand Jury at any Assizes for the County, County of a City, County of a Town, or City and County in *Ireland*, wherein he shall hold such Office; any Law, Usage, or Custom to the contrary in anywise notwithstanding.

Collectors to make Returns.

XXVIII. And be it further enacted, That every High Constable, or other Collector of Money levied by Grand Jury Presentment, shall make a Return on the First Day of each Assizes to the Treasurer of the County, containing a Schedule of the Names of the Townlands within the Barony for which he is Collector, and of the Inhabitants within the same, who shall have been assessed towards the Payment of the County Cess of the previous Assizes, and of the Sums respectively assessed on and paid by each Individual, and stating the Arrears, if any, which shall be due by each Individual; and that on the Receipt of such Return by the Treasurer, the said Treasurer shall immediately lay the same before the Grand Jury.

Punishing Persons falsely swearing.

XXIX. And be it further enacted, That any Person who in any Affidavit, or in any Examination on Oath, required to be made or had under this Act, shall swear falsely, shall be subject and liable to all such Pains, Penalties, and Forfeitures, as may be inflicted on wilful and corrupt Perjury by the Laws in force in *Ireland*; and that in all Cases where an Oath or Affidavit is required or authorized to be administered or made by this Act, the Affirmation of the Party, if such Affirmation be received in a Court of Law in lieu of an Oath, shall be of equal Validity and Effect, and equally subject him to the Provision of this Act, as if he had taken or sworn an Affidavit under the Provision of this Act.

Presentments may be made for prosecuted

XXX. And be it further enacted, That in all Cases where upon any Affidavit for supporting any Application for any Presentment, or for authen-

Delinquents for false Affidavits.

authenticating any Estimate, or other Matter or Thing relating to such Application, according to the Direction of this Act, or for accounting for Public Money, it shall appear to the Grand Jury that the Person or Persons making such Affidavits has or have been guilty of wilful and corrupt Perjury, it shall and may be lawful for the Grand Jury to make such Presentment for defraying the Prosecution of such Delinquent, as to them may seem fitting and expedient.

Applications and Accounts to be made on Stamps.

XXXI. And be it further enacted, That every Application or Account which shall be made and delivered under the Directions of this Act, shall be upon Paper stamped with the Stamp required by any Act or Acts in force relating to the Stamp Duties in *Ireland*, to be imposed upon an Affidavit or Affirmation for the Purpose of grounding thereon any Presentment of any Grand Jury, or for raising Money for Repair of Roads, or any other Public Purpose, or for accounting for any Public Money, or discharging Queries on Presentments, according to the Amount of the Money required to be presented and raised or accounted for, for the Road or Work specified in any such Application, or in any such Account respectively.

Amount of Stamps may be added to Presentments.

XXII. And be it further enacted, That it shall and may be lawful for every Grand Jury to add to the Sum they shall present to be raised towards the Execution of any Work applied for pursuant to the Provisions of this Act, a Sum equal to the Amount of the Stamp Duty upon such Applications, and also upon the Affidavits which are to account for the same, to be raised in like Manner, and paid to the Person accounting, for his own Reimbursement and that of the Person or Persons who shall have made the Application; and also to present such reasonable Sums not exceeding what shall be stated in the Estimate annexed to any Application respecting a new Road or any Work which shall be presented to be raised on the County at large, as they shall think proper, to pay the Expences incurred or to be incurred in procuring the Estimates, Specifications, Maps, Plans, Sections, or Elevations required by this Act to be annexed to the Applications, and also for the Expences of the Persons signing such Maps, Plans, Sections, or Elevations, in attending the Special Sessions, such Sum as the Justices at the same shall appoint and certify for such Attendance; all which Sums shall be levied in like Manner as other Sums to be raised under Presentments shall be levied and paid to the Person or Persons accounting for the same, in Trust for the Person or Persons who shall severally have signed the Applications and such other Papers.

Supervisors not to act until Money is expended. 49 G. 3. c. 84.

XXXIII. And be it further enacted, That no Person shall be appointed to act, nor shall he act as a Supervisor under the Provisions of an Act passed in the Forty-ninth Year of His present Majesty's Reign, intituled *An Act for amending the Irish Road Acts*, for any Part of any Road, for the Repair of which any Money shall be granted by Presentment, until such Money shall be expended and accounted for.

XXXIV. And

XXXIV. And be it further enacted, That no Money which shall be expended after the passing of this Act, shall be paid by the County Treasurer to any such Supervisor, unless it shall be accounted for by the Deputy or Deputies, in the Manner that all Money presented for the Repair of Roads is to be accounted for, except as to the Form of the Affidavit under this Act: Provided always, that such Supervisor shall first make Affidavit before a Magistrate, which any Magistrate is hereby empowered to take, that he has or had at the Time of the Expenditure of such Money, a Freehold or a Leasehold Estate [as the Case may be] of not less than Five hundred Pounds yearly Value, stating where such Estate is situate, and also that he has examined the Work, and that it is properly executed, to the best of his Judgment, and that he believes the Money has been fairly, properly, and honestly expended; and that it shall be lawful for every Supervisor to remove any Person whom he shall appoint to be a Deputy, and to appoint another Person in his Stead, from Time to Time, and as often as he shall think proper.

Money not to be paid unless Expenditure is accounted for.

XXXV. And be it further enacted, That in case of the Death of any Supervisor, an Affidavit made to the Purport and Effect, and in Manner prescribed by any Act or Acts in force immediately before the passing of this Act, to be made by such Supervisor, by the Heir or Executor of such Supervisor, together with the Certificate of a Magistrate, that he has viewed the Work, and that it is properly executed, to the best of his Judgment, and that he believes the Money sworn to by the Deputy or Deputies has been fairly, honestly, and properly expended thereon, shall be of equal Effect for the Purpose of such Account under this Act, as the Affidavit of the Supervisor would have been had he lived to make it.

On Death of Supervisor, other Persons may make Affidavits.

XXXVI. And whereas the usual and necessary Presentments for the Repair and Improvement of the Public Roads have not been made in several Counties in *Ireland* at the late Spring Assizes, and it must be prejudicial to the Roads, and occasion great additional future Expence to the Counties, if the like Omission should happen at the ensuing Summer Assizes; be it therefore enacted, That it shall and may be lawful for the Grand Juries of the several Counties and Cities, Counties of Towns, and Cities and Counties in *Ireland*, at the Summer Assizes which shall be holden in the present Year One thousand eight hundred and nineteen, to make, and for the Court to fiat Presentments for repairing any Road, repairing any Bridge, Gullet, or Wall, in such Form and Manner, and under and subject to such Powers, Provisions, and Regulations as are contained in the several Acts of Parliament for that Purpose, which were in force in *Ireland* at the Summer Assizes in the Year One thousand eight hundred and eighteen, in all Cases where Applications for or in respect of any such Presentments shall not have been made to the Magistrates, assembled at the Quarter Sessions holden in *April* One thousand eight hundred and nineteen, or at any other subsequent Time previous to such Summer Assizes, or shall not have been considered by them and approved or disapproved of; any Thing in this Act or in any other Act to the contrary in anywise notwithstanding.

Presentments may be made at next Summer Assizes.

XXXVII. Pro-

Powers of Grand Juries not to be limited for Repayment of Monies advanced by Order of Lord Lieutenant.

XXXVII. Provided always, and be it enacted, That nothing in this Act contained shall be construed to limit the Authority of Grand Juries, in making any Presentment at any Assizes for the Repayment of any Monies advanced by Order of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, pursuant to Powers vested in him by Law.

Provisions of Special Acts for Court Houses, &c. to remain in force.

XXXVIII. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to affect or alter any Clauses, Powers, or Provisions contained in any special Act or Acts of Parliament, relating particularly to the Erection or Maintenance of any Court House, Sessions House, or County House, or to any Gaol or Prison, in or for any County, or County of a City, or County of a Town in *Ireland*.

Repeal of 58 G.3. c.67.

XXXIX. And be it further enacted, That an Act passed in the last Session of Parliament, intituled *An Act to provide for the more deliberate Investigation of Presentments, to be made by Grand Juries for Roads and Public Works in* Ireland; *and for accounting for Money raised by such Presentments*, shall, from and after the passing of this Act, be and the same is hereby repealed, except so far as relates to any Presentment to be made at the Summer Assizes One thousand eight hundred and nineteen, grounded on Applications made pursuant to the said recited Act; and also except so far as the said Act repeals an Act, passed in the Fifty-seventh Year of His present Majesty's Reign, intituled *An Act to provide for the more deliberate Investigation of Presentments, to be made by Grand Juries for Roads and Public Works in* Ireland; *and for accounting for Money raised by such Presentments.*

57G.3.c.107.

Not to affect Dublin.

XL. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to the County of *Dublin*, or to the County of the City of *Dublin*, except only so far as is herein-after expressly enacted and provided by this Act; and that nothing in this Act contained shall alter or repeal, or be construed to alter or repeal, any special Act relating to the Manner of presenting or accounting in any other County, or County of a City, or County of a Town in *Ireland*.

Affidavits for grounding Presentments to be lodged with Secretary of Grand Jury in County of Dublin.

XLI. And whereas by an Act passed in the Parliament of *Ireland*, in the Twenty-sixth Year of the Reign of His present Majesty, intituled *An Act for making, widening, and repairing Public Roads in the County of* Dublin, *and for repealing Parts of several Acts formerly made for that Purpose*; it is enacted, that every Affidavit to ground a Presentment, or to account for Work done, shall be lodged with the Secretary of the Grand Jury, Four Days at least before the First Sitting Day of each presenting Term: And whereas it would be of great Benefit and Advantage to the said County of *Dublin*, that the said Affidavits should be lodged with the acting Secretary of the Grand Jury of the said County, so many Days previous to the First Sitting Day of each presenting Term, that Schedules of such Affidavits might be prepared and printed for Delivery to Magistrates and others previous to such Term; be it therefore enacted, That all Affidavits for Presentments for forming, levelling, fencing, draining, widening, making,

making, repairing, or otherwise improving any Road in the County of *Dublin*, and for the building, repairing, or otherwise improving any Bridge, Session House, Gaol, or other Mason Work in the County, shall be lodged Thirty Days at the least before the First Sitting Day of each presenting Term, with the acting Secretary of the Grand Jury of the said County; and such Secretary is hereby required to keep an Office open for the Purpose, and forthwith, after the Receipt of such Affidavits, to cause Schedules of such Affidavits to be prepared and printed, and to be ready for Delivery at his Office Twenty-one clear Days before the First Sitting Day of each presenting Term, to such Magistrates and Landholders in the said County of *Dublin* as may apply for the same; provided that the Number so to be printed shall not exceed Fifty for each Barony in the said County of *Dublin* (the Baronies of *Saint Sepulchres* and *Donore* excepted); and that the said Secretary shall, Fifteen Days before the First Sitting Day of each Presenting Term, deliver over the several Affidavits which shall have been so lodged with him previous to each presenting Term, pursuant to this Act, to the Inspector of the Public Accounts of the County of *Dublin* for the Time being, or in his Absence to such Person as the said Inspector shall depute to receive the Affidavits from the said Secretary, for whom the said Inspector shall be answerable; and the said Inspector shall personally attend at the Court of King's Bench on the First Sitting Day of each presenting Term, if not prevented by Sickness or unavoidable Accidents, and if so prevented, shall depute and send in his Place a Person for whom he shall be so answerable, and shall then and there lay before the said Grand Jury his Report and Observations in Writing upon the several Affidavits and Accounts annexed thereto, which shall have been so delivered over to him previous to such presenting Term by the said Secretary, or which shall have been delivered over to such Person as he the said Inspector shall have deputed to receive the same, pursuant to this Act.

Presentments for printing Schedules.

XLII. And be it further enacted, That it shall and may be lawful for the Grand Jury of the said County of *Dublin*, and they are hereby authorized and required, at each presenting Term for the said County, to present such Sum or Sums as shall be necessary for defraying the Expences of preparing and printing the said Schedules: Provided always, that an Affidavit of the Printer, stating his Charge to be usual and reasonable, be first laid before the said Grand Jury at such presenting Term; and that no such Presentment for the preparing such Schedules and printing of such Copies shall be made, unless such Printed Copies were ready for Delivery at the Office of the Secretary Twenty-one clear Days before the First Sitting Day of the Term at which such Presentment shall be applied for.

Kinsale constituted an additional Barony.

XLIII. And whereas the Town and Liberties of *Kinsale*, in the County of *Cork*, are neither a Barony, Half Barony, Part of a Barony, or a County of a Town, and therefore, under the Laws now in force, no Money can be raised by the Grand Jury of the County of *Cork* for the making or repairing Roads within such Liberties, to the great Inconvenience of the Inhabitants of said Town and Liberties; be it enacted, That the said Town and Liberties of *Kinsale* shall be constituted

stituted an additional Barony of the County of *Cork*, and that it shall be lawful for the Grand Jury of the said County, at every Assizes, to grant Presentments as in the Case of other Baronies, and to present the Amount of the same to be raised and levied upon the Town and Liberties of *Kinsale* as a Barony: Provided always, that nothing herein contained shall be construed to interfere with the Police Sessions or Privileges established by Charter in the said Town and Liberties of *Kinsale*.

Not to prevent Grand Jury from presenting Money for Bridges already certified for.

XLIV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to prevent any Grand Jury from presenting Money for building or completing any Bridge, which shall have been certified for; nor to prevent any Grand Jury from completing any new Line of Road, which shall have been approved of and presented, pursuant to the Laws in force before the passing of this Act: Provided always, that all such Sums of Money as shall be so presented, shall be accounted for under the Provisions of this Act.

SCHEDULES to which this Act refers.

CONTENTS.

New Roads:

A. 1. Form of Application for opening.

A. 2. { Form of Application for laying out.
Form of Accounting Affidavit.

A. 3. { Form of Application for forming, levelling, and draining.
Form of Accounting Affidavit.

A. 4. { Form of Application for gravelling.
Form of Accounting Affidavit.

A. 5. { Form of Application for making Fences.
Form of Accounting Affidavit.

Repairing Roads:

B. { Form of Application.
Form of Accounting Affidavit.

Widening Roads:

C. { Form of Application.
Form of Accounting Affidavit.

Making or Repairing Footpaths:

D. { Form of Application.
Form of Accounting Affidavit.

Lowering a Hill or filling a Hollow:

E. 1. { Form of Application.
Form of Accounting Affidavit.

Gravelling a Road over a Hill lowered or a Hollow filled.

E. 2. { Form of Application.
Form of Accounting Affidavit.

Building,

Building, enlarging, or repairing Session Houses, Court Houses, Workhouses, Houses of Correction, County Infirmaries, Hospitals, or other public Buildings:

F. 1. Form of Application.

Building or repairing Bridges, Pipes, or Gullets, or Walls, or erecting Fences:

F. 2. Form of Application.

Form of Accounting Affidavit, for F. 1. or F. 2.

Filling Drains or Trenches:

G. { Form of Application.
Form of Accounting Affidavit.

Filling Gripes:

H. { Form of Application.
Form of Accounting Affidavit.

Erecting Banks to defend Roads through Bogs from Drains on the Sides thereof:

I. { Form of Application.
Form of Accounting Affidavit.

Making, widening, or deepening Drains on the Sides of Roads through Bogs:

K. { Form of Application.
Form of Accounting Affidavit.

L. { Form of Application for erecting Mile Stones or Finger Posts.
Form of Accounting Affidavit for erecting Mile Stones or Finger Posts.

Note.—Every Application, Estimate, Specification, Map or Plan, Section and Elevation, to be annexed, must be signed by the Persons making them respectively.

Schedule A. 1.

Form of Application for opening a New Road.

County of } *A. B.* of and *C. D.* of do certify, That in their Opinion it would be useful to open a new Road from to between and , all in the Barony or Half Barony of in this County, according to the Map, Plan, and Sections annexed, made by *E. F.* whom they believe to be a competent Person for making the same, and to the Estimate annexed, which is in their Opinion fair and reasonable; and that a Duplicate of such Map, Plan, and Section of such New Road made by him has been deposited with the Secretary to the Grand Jury, on the Day of [being at the least Days before the Day appointed for the Special Sessions to meet, preparatory to the next Assizes]; and that a Notice, setting forth that an Application is intended to be made at the next Assizes for a Presentment, to lay out a new Road from to distinguishing the several Townlands and Baronies or Half Baronies through which it is intended to be carried, with the Number of Perches it is to be made 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 in this County, Days at least before the Day appointed for such Special Sessions; and that a like Notice has been also posted upon the Door of the County Court House, of the same Day that the said Map has been deposited with the Secretary of the Grand Jury of the County; and that no Part of such New Road is to be made through any Deer-Park or Field inclosed with a Wall built of Lime and Stone or Bricks Feet high or more, without the Consent of the Owner thereof; and no Part thereof is to be made through any House, entirely built with Lime and Stone or Bricks, or through any Office or Orchard belonging to any Person inhabiting a House so built, without the Consent of such Person.

The Estimate must contain the total Expence attendant on the opening and finishing the new intended Road, and laying out, forming, levelling and gravelling the same, and of building Bridges, Gullets, or Support Walls, lowering Hills, or filling Hollows, to bring every Part of it to the Ascent or Descent proposed, and in making Fences to the same; and it must state separately for each Barony or Half-Barony, the Expences which are Baronial, and those which are for the County at large.

The Specification must contain the Distance of the nearest Quarries fit for the Work, the Price of Lime, and the general Prices of Labourers, Masons, an assistant Bailiff, Carts, Drays, and Cars, by the Day, in the Neighbourhood.

The Map or Plan of the proposed Road must be made on a Scale not less than to a Mile; it must include the present

present Road, if there be any such, in Place of which the intended Road is to be made; and such Map or Plan, or the Section, must show the Inclination of the Surface of the existing Road, and the proposed Inclination of the Surface of the intended Road, throughout the whole Length of each, and state the Difference between each in their Degrees of Inclination, and in the highest Ascent of each above the Base; it must also particularize each Hill proposed to be lowered, or Hollow to be filled, and the Height or Depth of the Ascent or Descent proposed to be altered on each such Hill or Hollow; all Rivers or Streams which such new Road is to cross, and which cross such existing Roads, must be marked, with a separate Plan of every Bridge, and the Dimensions of every Arch or Arches, or Opens necessary for the Passage of the Waters through any Bridge or Gullet proposed to be built on the intended Road; all Roads that the new intended Road is proposed to cross, or which cross the existing Road, must be marked, and the Plans of every Gullet or Pipe, or Wall, must state the Length, Breadth, and Height thereof; and the Plans and Elevations of every Bridge must contain a distinct Detail of all Masonry and Sconecutters Work proposed for such Gullet, Pipe, Wall, or Bridge to be built on such new intended Road.

Schedule A. 2.

Form of Application for laying out a new Road.

County of } *A. B.* of and *C. D.* of
} do certify, That it will require the Sum of
to lay out the new intended Road from to
between and
, all in the Barony or Half Barony of
in this County, being at the Rate of (the Sum not to exceed
per Perch) by the Perch; and that the said Sum is a
reasonable Charge, to the best of their Judgment and Belief.

Form of Accounting Affidavit for laying out a new Road, not exceeding a Perch.

County of } WHEREAS the Sum of wa
} presented at Assizes, in the Year
to be expended in laying out Perche
of the new intended Road from to
between and , all in th
Barony or Half Barony of in this County: No
I do swear, That I have faithfully and honestl
expended the Sum of in the Execution of th
said Work, and that the same is executed pursuant to the said Pr
sentment, to the best of my Judgment, and that every Part of th
said Work was finished on the Day of

Schedule A. 3.

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

County of } *A. B.* of and *C. D.* of do certify, That it will require the Sum of to form, level, and drain [*as the Case may be*] Perches of the new intended Road from to between and , all in the Barony or Half Barony of in this County, Feet wide in the clear of all Ditches, Banks, Drains or Fences, being at the Rates of by the Perch; and that the said Sum is a reasonable Charge, to the best of their Judgment and Belief.

Form of Accounting Affidavit for forming, levelling, and draining a new Road.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in forming, levelling, or draining [*as the Case may be*] Perches of the new intended Road from to between and , all in the Barony or Half Barony of in this County, Feet wide in the clear of all Ditches, Banks, Drains or Fences: Now I do swear, That I have faithfully and honestly expended the Sum of in forming, levelling, or draining [*as the Case may be*] Perches of the said Road, and that every Part of the said Perches is Feet in the clear between the Ditches, Banks, Drains, or Fences, and is level throughout the Whole of the said Width; and that there is not adjoining to either Side of the Road so formed, levelled, and drained, any Gripe to such Trench or Drain, without a Wall or other sufficient Fence between it and the Side of the Road; and that the annexed Account is true in every Part, and contains the Whole of the Expenditure of the said Sum of and that every Part of the said Work was finished on the Day of

Schedule A. 4.

Form of Application for gravelling a new Road.

County of } *A. B.* of and *C. D.* of do certify, That it will require the Sum of to make Perches of the new intended Road from to between and , all in the Barony or Half Barony of in this County, Feet wide in the clear of all Ditches, Banks, Drains, and Fences, and Feet wide at the least, with Gravel or small Stones, being at the Rate of by the Perch, according to the Specification annexed; and that the said Sum is a reasonable Charge, to the best of their Judgment and Belief.

The Specification must contain a Description of the Materials proposed to be used in making the Road, whether Gravel or Quarry Stones, or Field Stones broken, and the general Price of Labourers and Quarrymen, and of a working Bailiff, and of Carts, Drays and Cars, by the Day, in the Neighbourhood.

Form of Accounting Affidavit for gravelling a new Road.

County of } WHEREAS the Sum of was presented at Assizes in the Year to be expended in making Perches of the new intended Road from to between and , all in the Barony or Half Barony of in this County, Feet wide in the clear of all Ditches, Banks or Fences, and Feet wide at the least, with Gravel or small Stones: Now I do swear, That I have faithfully and honestly expended the Sum of in making Perches of the said Road, and that every Part of the said Perches is Feet wide in the clear between the Ditches, Banks, Drains or Fences, and is safe and level throughout the Whole of the said Width for Carriages to pass and repass on, and that Feet at the least of the said Width is made with Gravel or small Stones; and that the Backs of every Ditch, Bank, or Fence thereto, to which there is a Gripe, is turned to the Road, and the Gripe to the Field Side; and that the annexed Account is true in every Part, and contains the Whole of the Expenditure of the said Sum of ; and that every Part of the said Work was finished on the Day of

Schedule A. 5.

Form of Application for making Fences to new Roads.

County of } *A. B.* of and *C. D.* of do certify, That it will require the Sum of to make Perches of Fences on each Side of the new intended Road from to between and all in the Barony or Half Barony of in this County, being at the Rate of (the Sum not to exceed One Shilling and Sixpence *per* Perch) by the Perch, and that the said Sum is a reasonable Charge, to the best of their Judgment and Belief.

No Specification or other Paper is required to be annexed.

Form of Accounting Affidavit for making Fences to new Roads.

County of } WHEREAS the Sum of was presented at Assizes in the Year to be expended in making Perches of Fences on each Side of the new intended Road from to between and , all in the Barony or Half Barony of in this County: Now I do swear, That I have faithfully expended the Sum of in the Execution of the said Presentment, and Perches of Fences are well and effectually made pursuant thereto, and the Bank Side thereof is turned to the Road, and that the said Work was finished on the Day of

Schedule (B.)

Form of Application for the Repair of Roads.

County of } *A. B.* of and *C. D.* of do certify, That they have lately measured Perches of the Road from to between and and that all the said Perches are in the Townland of [*or*, that Perches thereof are in the Townland of and Perches thereof are in the Townland of [*as the Case may be*] distinguishing the several Townlands through which the Road is intended to be repaired in each Townland] all in the Barony or Half Barony of in this County; and that it will require the Sum of to repair the said Perches Feet wide in the clear of the Ditches, Banks, Drains or Fences, and Feet wide, with Gravel or small Stones, being at the Rate of by the Perch, according

according to the Specification annexed, which they verily believe is the least the said Perches can be effectually repaired for.

The Specification must contain a Description of the Materials proposed to be used in repairing the Road, whether Gravel or Quarry Stones, or Field Stones broken, and the general Price of Labourers and Quarrymen, and a Working Bailiff, and of Carts, Drays, and Cars by the Day in the Neighbourhood.

No Map, Plan, or Section is required.

Form of Accounting Affidavit for the Repair of Roads.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in repairing Perches of the Road from to between and all in the Barony or Half Barony of in this County, Feet wide in the clear of the Ditches, Banks, Drains, or Fences, and Feet wide, with Gravel or small Stones, at the Rate of by the Perch: Now I do swear, That I have faithfully and honestly expended the Sum of in repairing Perches of the said Road; and that every Part of the said Perches is Feet wide at the least, in the clear of all Ditches, Banks, Drains, or Fences, and that it is safe and level throughout the Whole of the said Width for Carriages to pass and repass on; and that Feet wide at the least of the said Width is made with Gravel or small Stones; and that there is a sufficient Passage on each Side of the said Road to prevent the Water from injuring the same; and that the annexed Account is true in every Part, and contains the Whole of the Expenditure of the said Sum of and that every Part of the said Work was finished on the Day of ; but if any Part of the Road passes through a Tract of Bog, the Words following may be inserted after the Words, pass and repass on, "except Perches thereof which pass through a Tract of Bog."

Schedule C.

Form of Application for widening Roads.

County of } *A. B.* of and *C. D.* of do certify, That they have lately viewed and measured Perches of the Road from to between and all in the Barony or Half Barony of in this County; and that no Part of the same is Feet wide in the clear within the Ditches, Banks, Drains, or Fences; and that it will require the Sum of to widen the same, so as to make them

Feet wide in the clear, and safe and level throughout the Whole of the said Width for Carriages to pass and repass on, being at the Rate of by the Perch, which they verily believe to be a reasonable Charge, according to the Specification and Plan hereunto annexed, and the least the said Work can be effectually done for.

In case new Fences shall be necessary, instead of any to be taken down or destroyed, the Words following shall be added after the Words repass on, "and to make new Fences instead of those which "shall be taken down or destroyed, in order to widen the same."

The Specification is to contain the general Price of Labourers, of a working Bailiff, and of Carts, Drays, and Cars, by the Day in the Neighbourhood.

The Plan is to delineate the present Breadth of the Road, and the Breadth to which it is to be widened, marking distinctly the Sides of the Road on which the Widening is proposed to take place, and it is to be of a sufficient Scale to show the same distinctly.

Form of Accounting Affidavit for widening Roads.

County of } WHEREAS the Sum of was presented at Assizes in the Year to be expended in widening and making Fences to [*as the Case may be*] Perches of the Road from to between and all in the Barony or Half Barony of in the County of to the Width of Feet in the clear: Now I do swear, That I have faithfully and honestly expended the Sum of in widening and making Fences to [*as the Case may be*] Perches of the said Road, and that every Part of the said Perches is now effectually widened to the Width aforesaid, and is safe and level throughout the Whole of the said Width, and every Part thereof, for Carriages to pass and repass on; and that the Back of every Part of said Fence, where there is a Gripe thereto, is turned to the Road, and the Gripe to the Field Side; and that the annexed Account is true in every Part, and contains the Whole of the Expenditure of the said Sum of and that every Part of the said Work was finished on the Day of ; but if any Part of the Road passes through a Tract of Bog, the Words following may be inserted after the Words pass and repass on, "except Perches thereof, which pass through a Tract of Bog."

Schedule

Schedule D.

Form of Application for making or repairing Footpaths.

County of } *A. B.* of and *C. D.* of
} do certify, That the Sum of is necessary to make [*or*, repair, *as the Case may be*] Perches of a Footpath on the Road or new intended Road [*or*, within the Side of the Ditch along the Side of such Road, *as the Case may be*] from to between and all in the Barony or Half Barony of in this County, being at the Rate of [*the Sum not to exceed per Perch, for making and for repairing*] by the Perch; and that the said Sum is a fair and reasonable Charge, to the best of our Judgment, according to the Specification annexed.

The Specification is to state the Materials proposed to be used, and how much of the Footpath is to be new formed or raised [*or* widened, *as the Case may be.*]

Form of Accounting Affidavit for making or repairing a Foot-path.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in making or repairing [*as the Case may be*] Perches of a Foot-path on the Road or new intended Road [within the Side of the Ditch along the Side of such Road, *as the Case may be*] from to between and all in the Barony or Half Barony of in this County: Now I do swear, That I have faithfully and honestly expended the Sum of in making or repairing [*as the Case may be*] Perches of a Foot-path on the said Road, and that the annexed Account is true in every Part, and contains the Whole of the Expenditure of the said Sum of ; and that every Part of the said Work was finished on the Day of .

Schedule E. 1.

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

County of } *A. B.* of and *C. D.* of do certify,
} That they have lately viewed a Hill, or Hollow, [*or* both, *as the Case may be*] in the Townland of in this County, on the Road from the Market Town of to the Market Town

Town of , and they are of Opinion that it would contribute to the Ease and Convenience of Carriages travelling the said Road to lower such Hill, or fill up such Hollow [*or* both, *as the Case may be*]; and that the said Road cannot, in their Opinion, be conveniently changed to avoid such Hill or Hollow [*as the Case may be*] without incurring a greater Expence, or causing a considerable Increase of Length in the said Road; and that they have caused *E. F.*, whom they believe to be a competent Person skilled in such Work, to make the Map and Section thereof hereto annexed, and to estimate and make a Specification of the same; and that, in their Opinion, his Estimate and Specification are fair and reasonable, and his Plan and Section proper.

The Estimate is to state the Sum required, and the Number of Cubic Yards to be moved, and the Price per Cubic Yard.

The Specification is to state the Nature of Substance, whether Clay, Mold, Sand, sound or rotten Stone or Gravel, which is to be moved, and to or from what average Distance; whether the same will afford sound Materials for gravelling or stoning the Parts of the Road which shall be lowered or filled, and the general Price of Labour, and of a working or assistant Bailiff, and of Carts, Drays, or Cars, in the Neighbourhood.

The Plan and Section must shew the Length of the Road which is to be lowered or filled, the Inclination of the present Surface and of the future proposed Surface, and the Amount of perpendicular Ascent or Descent proposed to be saved, and the Breadth that is proposed for the Road to be of when lowered or filled.

Form of Accounting Affidavit for lowering a Hill or filling a Hollow, or both.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in lowering a Hill or filling a Hollow [*or* both, *as the Case may be*] in the Townland of in this County, on the Road from the Market Town of to the Market Town of : Now I do swear, That I have faithfully and honestly expended the Sum of in executing the said Work, and that the same is done pursuant to the said Presentment; and that the annexed Account is true in every Part, and contains the Whole of the Expenditure of the said Sum of and that every Part of the said Work was finished on the Day of

Schedule E. 2.

Form of Application for gravelling a Road over a Hill lowered, or a Hollow filled.

County of } *A. B.* of and *C. D.* of do certify, That they have viewed a Hill or Hollow [*or* both, *as the Case may be*] in the Townland of in the Barony or Half Barony of on the Road from the Market Town of to the Market Town of all in this County; and they are of Opinion that if the said Hill is sufficiently lowered [*or*, the said Hollow sufficiently filled, *or* both, *as the Case may be*] it will require the Sum of to make with Gravel or small Stones Feet wide Perches of the said Road on the said Hill, when lowered [*or*, the said Hollow when filled, *or* both, *as the Case may be*] being at the Rate of by the Perch, according to the Specification annexed; and that said Sum is a reasonable Charge, and that the Work cannot be effectually executed for a smaller Sum, to the best of their Judgment.

Form of Accounting Affidavit for gravelling a Road over a Hill lowered, or a Hollow filled.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in making Perches of the Road from the Market Town of to the Market Town of on the Hill which has been lately lowered, or the Hollow which has been lately filled [*or* both, *as the Case may be*] in the Townland of and Barony or Half Barony of in this County Feet wide in the clear of the Ditches, Banks, Drains, or Fences, and Feet wide, with Gravel or small Stones, at the Rate of by the Perch: Now I do swear, That I have faithfully and honestly expended the Sum of in making Perches of the said Road, and that every Part of the said Perches is Feet wide at the least, in the clear of all Ditches, Banks, Drains, or Fences, and that it is safe and level throughout the Whole of the said Width for Carriages to pass and repass on, and that Feet wide at the least of the said Width is made with Gravel or small Stones, and that there is a sufficient Passage on each Side of the said Road to prevent the Water from injuring the same; and that the annexed Account is true in every Part, and contains the Whole of the Expenditure of the said Sum of ; and that every Part of the said Work was finished on the Day of

Schedule F. 1.

Form of Application for building, enlarging, or repairing any Session House or Court House, Workhouse, House of Correction, County Infirmary, Hospital, or other public Building.

County of } *A. B.* of and *C. D.* of do certify, That it will require the Sum of to build, enlarge, or repair the Session House, Court House, Workhouse, House of Correction, Infirmary, Hospital, or other public Building [*as the Case may be*] at in this County, and that the said Sum is a reasonable Charge, and that the said Work cannot, to the best of their Judgment, be effectually executed for a smaller Sum, according to the Estimate, Specification, Plan, Elevation, and Section annexed.

The Estimate must contain a full Detail of the Particulars of the Works proposed to be executed, with the Prices by Measurement or otherwise, of each Particular.

The Specification must contain the general Price of Labourers, Masons, and other Tradesmen or Artificers, and Bailiffs, necessary to be employed on the Work, and of hired Carts, Drays, or Cars, by the Day, in the Neighbourhood.

The Plan, Section, and Elevation, must explain satisfactorily, and in a workmanlike Manner, the whole Work proposed in all its Parts.

And must also contain a Ground Plan of the Work proposed to be executed, and a Drawing of every Part of the Work.

No Drawing of an Elevation is necessary where the Sum required does not exceed Forty Pounds, or is solely for Repairs.

Note.—If the Sum required in any such Application shall exceed the Sum of Forty Pounds, a Certificate of the Foreman of the Grand Jury, indorsed on the Application, and setting forth that such Application, together with the Estimates, Specifications, Plans, or Maps, and Elevations required to be annexed thereto, had been laid before the Grand Jury, and read or exhibited to them at the Assizes next immediately preceding any Special Session to be held under this Act, shall be necessary to authorize the Magistrates assembled at such Sessions to receive such Application, or take it into Consideration, under the Provisions of this Act.

Schedule F. 2.

Form of Application for building or repairing Bridges, Pipes or Gullets, or Walls, or erecting Fences for the Protection of Travellers.

County of } *A. B.* of and *C. D.* of
} do certify, That it will require the Sum of to build, enlarge, or repair a Bridge, Pipe or Gullet, or to build a Wall, or Part of a Wall, necessary for the Support of the Road, or for preventing any steep Bank of Earth from falling on the Road, or for erecting any Fence, Railing, or Wall, for the Protection of Travellers from dangerous Precipices or Holes, lying on the Side of any public Road [*as the Case may be*] on the Road or new intended Road [*as the Case may be*] from to between and in the Townland or Townlands of in this County; that the said Sum is a reasonable Charge, and that the said Work cannot, to the best of their Judgment, be effectually executed for a smaller Sum, according to the Plan, Estimate and Elevation annexed.

The Estimate must contain a full Detail of the Particulars of the Work proposed to be executed, with the Prices by Measurement or otherwise, of each Particular.

The Specification must contain the general Price of Labourers, Masons, and any other Tradesmen or Artificers, and Bailiffs, necessary to be employed on the Work, and of hired Carts, Drays, or Cars, by the Day, in the Neighbourhood.

The Plan must contain a Ground Plan of the Work proposed to be executed, a Drawing of the Elevation thereof, and specify particularly the Parts proposed to be built with cut or hammered Stone, or common Masonry. No Plan is necessary where the Application is for Repair only.

No Drawing of the Elevation is necessary where the Sum required is solely for Repairs, or where it does not exceed the Sum of Ten Pounds.

Note.—If the Sum required for building in any such Application shall exceed the Sum of Twenty Pounds, a Certificate of the Foreman of the Grand Jury, indorsed on the Application, and setting forth that such Application, together with the Estimates, Specifications, Plans or Maps, and Elevations required to be annexed thereto, have been laid before the Grand Jury, and read or exhibited to them at the Assizes next immediately preceding any Special Session to be held under this Act, shall be necessary to authorize the Magistrates assembled at such Sessions to receive such Application, or take it into Consideration, under the Provisions of this Act.

Applicable to Schedule F. 1. or F. 2.

Form of Accounting Affidavit for building, enlarging, or repairing any Session House, Court House, Workhouse, House of Correction, County Infirmary, Hospital, or other Public Building, or building or repairing Bridges, Pipes or Gullets, or Walls, or erecting Fences for the Protection of Travellers.

County of } WHEREAS the Sum of was presented at Assizes in the Year to be expended in [*state the Particulars as stated in the Presentment*] at in this County, or on the Road or new intended Road [*as the Case may be*] from to between and in the Townland or Townlands of in this County [*as the Case may be*]: Now I do swear, That I have faithfully and honestly expended the Sum of in executing the said Work, and that the same is done pursuant to the said Presentment, and that the annexed Account is true in every Part, and contains the whole of the Expenditure of the said Sum of and that every Part of the said Work was finished on the Day of

Schedule G.

Form of Application for Presentments to fill Drains or Trenches on the Sides of Roads.

County of } *A. B.* of and *C. D.* of do certify, That they have measured Perches of the Road from to between and all in the Barony or Half Barony of in this County; and that Perches of the Drains or Trenches of the Fences thereto immediately adjoin the said Road, without any Back or Bank between them and the Road; and it will require the Sum of to fill up the same, and make a sufficient Fence with the Trench or Drain on the Field Side thereof, being at the Rate of by the Perch; and that the said Sum is a reasonable Charge to the best of their Judgment.

Form of Accounting Affidavit for filling Drains or Trenches on the Sides of Roads.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in filling Perches of Drains or Trenches of the

the Road from to between
and all in the Barony or Half Barony of
in this County: Now I do swear, That I
have faithfully and honestly expended the Sum of
in executing the said Work, pursuant to the said Presentment, and that
every Part of the same was finished on the
Day of

Schedule H.

Form of Application for filling Gripes:

County of } *A. B.* of and *C. D.* of
} do certify, That it will require the Sum of to
fill Perches of Gripes of Ditches on the Side of the
Road from to between
and all in the Barony or Half Barony of
in this County, and that the said Sum is a reasonable Charge,
according to the Specification annexed.

The Specification is to state the Gripes, and as near as may be the Number of Cubic Yards requisite to fill the same, and the average Breadth and Depth thereof, and the greatest Breadth and Depth in any Part thereof, and the Distance of the broadest or deepest Part of the Gripes from the gravelled Part of the Road.

Form of Accounting Affidavit for filling Gripes:

County of } WHEREAS the Sum of was presented
} at Assizes, in the Year
to be expended in filling Perches of Gripes of Ditches on
the Side of the Road from to
between and all in the Barony or
Half Barony of in this County: Now I
do swear, That I have faithfully and honestly expended the Sum of
in the Execution of the Work for which the same was
presented, and that the same is effectually executed, and that the said
Work was finished on the Day of

Schedule I.

Form of Application for erecting a Bank of Earth to defend the Road through a Bog from the Drains on the Side thereof.

County of } *A. B.* of and *C. D.* of do certify, That they have lately viewed and measured Perches of the Road from to between and all in the Barony or Half Barony of in this County; and that there are no Banks of Earth or Backs of a Ditch, or other Fences, to defend them, the said Perches, run through a Bog, from the Drains on the Side or Sides thereof; and that it will require the Sum of to erect sufficient Banks of Earth to defend the Road from the said Drains, being at the Rate of [*this Sum is not to exceed the Rate of Two Shillings by the Perch*] by the Perch, which they verily believe is the least the said Work can be effectually executed for.

Form of Accounting Affidavit for erecting Banks between the Road and the Drains along its Side, through Bogs.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in erecting Perches of Banks of Earth to defend Perches of the Road from to between and which run through a Bog, from the Drains on the Side or Sides thereof, all in the Barony or Half Barony of in this County, being at the Rate of by the Perch: Now I do swear, That I have faithfully and honestly expended the Sum of pursuant to said Presentment, and that the Work is effectually executed, and that it was finished on the Day of

Schedule K.

Form of Application to make, widen, or deepen Drains on the Side of a Road, through a Bog.

County of } *A. B.* of and *C. D.* of do certify, That it will require the Sum of to make, widen, or deepen [*as the Case may be*] Perches of Drains on the Side of the Road, which is made through a Bog, from to between and all in the Barony or Half Barony of in this County, and for carrying off the Water therefrom, being at the Rate of by the Perch [*the Sum not to exceed One Shilling per Perch*]; and that the said Sum is a reasonable Charge, and the said Work is necessary, and cannot be effectually executed for a smaller Sum, to the best of their Judgment.

Form

Form of Accounting Affidavit to make, widen, or deepen Drains on the Side of a Road, through a Bog.

County of } WHEREAS the Sum of was presented at Assizes, in the Year to be expended in making, widening, or deepening [*as the Case may be*] Perches of Drains on the Side of the Road, which is made through a Bog, from to between and all in the Barony or Half Barony of in this County: Now I do swear, That I have faithfully and honestly expended the Sum of in Execution of the said Presentment, and that the said Drains are effectually made, deepened, or widened [*as the Case may be*], and that the Water is effectually carried off from the Road, and that said Work was finished on the Day of

Schedule L.

Form of Application for erecting Mile Stones or Finger Posts.

County of } *A. B.* of does certify, That it will require the Sum of to erect Mile Stones or Finger Posts [*as the Case may be*] being at the Rate of for each Mile Stone or Finger Post, on the Road leading from to ; and that all said Mile Stones are to be erected in the Barony or Half Barony of ; and that said Sum is a reasonable Charge, according to the best of his Judgment.

Note.—It shall not be lawful for any Grand Jury to present a larger Sum than Twenty Shillings for each Mile Stone, or Thirty Shillings for each Finger Post.

Form of Accounting Affidavit for erecting Mile Stones or Finger Posts.

County of } WHEREAS the Sum of was presented at the Assizes, in the Year to be expended in erecting Mile Stones or Finger Posts [*as the Case may be*] being at the Rate of for each Mile Stone or Finger Post, on the Road leading from to all which Mile Stones or Finger Posts were to be erected in the Barony or Half Barony of : Now I do swear, That I have faithfully and honestly expended the Sum of in the Execution of the Work for which the same was presented, and that the Work is effectually executed, and was finished on the Day of

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