ANNO SECUNDO

VICTORIÆ REGINÆ.

****

C A P. I.

An Act to amend an Act of the First and Second Year of Her present Majesty for the more effectual Relief of the destitute Poor in *Ireland*.

[15th *March* 1839.]

WHEREAS by an Act passed in the last Session of Parliament, intituled *An Act for the more effectual Relief of the destitute Poor in* Ireland, it is amongst other things enacted, that it shall be lawful for the Poor Law Commissioners from Time to Time, by Order under their Seal, to unite such and so many Townlands as they may think fit to be an Union for the Relief of the destitute Poor, to declare any Union to be dissolved, or any Townland or Townlands to be added to or separated from such Union, to divide any Union into Electoral Divisions for the Election of Guardians, and to alter any Division from Time to Time as they may see fit, so nevertheless that in making or altering such Division no Townland shall be divided; and Provision is thereby further made for the Election of Guardians for every Electoral Division, for the Relief of the destitute Poor resident in such Electoral Divisions, and the charging of the Expence of such Relief thereon, and for making and levying Rates within every such Electoral Division: And whereas the Boundaries of many Townlands are not accurately known, and Places exist which are not Townlands, or not known as Townlands, and Doubts have been entertained

1 & 2 Vict. c. 56.

whether the Provisions of the said Act can be applied to such Townlands and Places; and it is expedient that such Doubts should be removed: Be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Provisions, and all other Provisions of the said Act in any way relating to Townlands, shall be construed to extend and apply to every Place in *Ireland*, whether known as a Townland or not.

Recited Act to extend to every Place in Ireland.

Cities, Towns, &c. with a Population exceeding 10,000 may be constituted Electoral Divisions;

II. And be it enacted, That where in the Abstract of the Accounts of the Population taken by Authority of Parliament under an Act made in the Fifty-fifth Year of the Reign of King *George* the Third, and the several Acts amending the same, the Population of any City, Borough, or Town, and the Suburbs thereof, shall be stated to exceed Ten thousand, or where the Population of any other Place shall be so stated to exceed Ten thousand, and the Area of such Place shall not exceed Three Miles for every Ten thousand Persons, it shall be lawful for the said Commissioners to constitute such City, Borough, or Town, and the Suburbs thereof, or such other Place, or any Part or Parts thereof respectively, an Electoral Division for the Purposes of the said Act; and, for the Purpose of conducting the Election of Guardians, from Time to Time to divide such Electoral Division into such and so many Wards, and to alter the same as they may see fit, and to determine and alter the Number of Guardians to be elected by the Rate-payers in every such Ward.

and such Electoral Divisions may be divided into Wards.

Places may be declared to be Townlands for Purposes of recited Act.

III. And be it enacted, That it shall be lawful for the Commissioners, by Order under their Seal, to declare any Place not known to the said Commissioners as a Townland or Townlands to be, for the Purposes of the said Act, a Townland.

Boundaries of Townlands, &c. may be declared for the Purposes of the recited Act.

IV. And be it enacted, That in every Case in which the Boundaries of any Townland, or of any Place declared by the Commissioners to be a Townland, shall not be determined and made known to the Commissioners, it shall be lawful for the said Commissioners, by Order under their Seal, to declare, for the Purposes of the said Act, the Boundaries of such Townland or Place; and the Boundaries so declared shall accordingly be deemed and taken to be the Boundaries of such Townland or Place until the true Boundaries thereof shall be lawfully ascertained and made known to the Commissioners, and until they shall have revoked such Order.

Rate-payers to vote at Elections of Guardians according to Scale in recited Act.

V. And be it enacted, That in the Election of Guardians under the Provisions of the said Act every Rate-payer who, under the last Rate made in any Union, shall have paid or contributed or be liable to pay or contribute Rate in respect of Property in any Electoral Division shall have a Vote or Votes in the Election of Guardians in such Electoral Division, according to the Scale of Votes provided by the said Act.

Sums not exceeding 200*l.* may be bor-

VI. And whereas under the said Act certain Expences may be incurred in and about the Election of Guardians, in making Rates,

Surveys,

Surveys, and Valuations, and in other respects, before any Rate can be levied or collected for the defraying of such Expences; be it enacted, That, for the Purpose of defraying any Expences to be incurred in carrying the Provisions of the said Act into execution, previous to the levying of a Rate in any Union, it shall be lawful to borrow and charge upon the first Rate to be made and levied in such Union under the Provisions of the said Act a Sum not exceeding Two hundred Pounds, with Interest thereon.

rowed to defray Expences previous to the levying of a Rate.

VII. And be it enacted, That all Conveyances or Assignments on the Purchase or Sale of any Lands, Tenements, or Hereditaments by the Poor Law Commissioners under the Provisions of the said Act may be made according to the Form set forth in the Schedule hereunto annexed, or in such other Form or Forms as the Poor Law Commissioners shall from Time to Time direct, or as near thereto as the Number of Parties, the Nature of the Interests, and the Circumstances of the Case will admit; and such Conveyances shall be valid and effectual in the Law, without Livery of Seisin being made, or any Bargain and Sale to vest Possession being executed or recited or referred to, and without being enrolled, and shall have such Operation as in the said Act mentioned.

Conveyances to be made in the Form set forth in the Schedule.

VIII. And be it enacted and declared, That so often as any Purchase or Compensation Money shall, under the Provisions of the said Act, be payable into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, and such Money shall not be placed to the Account of such Accountant General to the Credit of the Parties interested in the Lands, Tenements, or Hereditaments, under the Provisions in the said Act referred to, such Purchase or Compensation Money shall be placed to the Account of the said Accountant General "*ex parte* the Poor Law Commissioners."

Money paid into the Bank of Ireland.

IX. And whereas by the said Act it is provided, that if any Person or Persons shall find himself or themselves aggrieved by any Order or Conviction of any Justice or Justices, (except where such Justice shall be an Assistant Barrister,) where such Person or Persons shall be convicted in any Penalty or Penalties exceeding Five Pounds, or by any Rate made under this Act, or shall have any material Objection to any Person or Persons being put in or left out of such Rate, or to the Sum charged on any Person therein, it shall be lawful for such Person or Persons to appeal to any Sessions of the Peace to be held in the Presence of the Assistant Barrister in and for the County in which such Rate or such Order shall have been made or Conviction taken place within Four Calendar Months next after the Cause of Complaint shall have arisen, or if such Sessions shall be held before the Expiration of One Calendar Month next after such Cause of Complaint, then such Appeal shall be made to the next following Sessions: And whereas certain Sessions of the Peace for Counties are not held in the Presence of Assistant Barristers, and it is therefore doubted whether Appeals under the said Act can be made to such Sessions; be it therefore declared and enacted, That every such Appeal may be made and heard, and the Matter thereof

Appeals may be heard at Sessions at which an Assistant Barrister does not attend.

determined

determined by any General or Quarter Sessions of the Peace held for the County, County of a City, or County of a Town, in which the Cause of Complaint may have arisen, in the same Manner in all respects as is provided by the said Act, although such Sessions be not held in the Presence of an Assistant Barrister; and in the Case of an Appeal against a Rate when the rateable Hereditament in respect of which the Rate is made and the Cause of Complaint arises is situate within the Limits of the Jurisdiction of Two or more such Sessions, then to the Sessions of the Peace of a County in preference to that of a County of a City or Town; and when the Jurisdictions are of the same Nature, then to the Sessions which the Appellant shall choose to appeal to.

As to hearing Appeals within limited Jurisdictions.

X. And be it enacted, That so much of the said recited Act as relates to the Removal by Writ of Certiorari of Rates made under the Provisions of the said Act, and to Applications and to the Persons making Application for such Removal, shall be and the same is hereby repealed.

Provisions of recited Act as to Removal of Rates by Certiorari repealed.

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

Act may be amended, &c. this Session.

SCHE-

ULE to which this Act refers.

of Conveyance or Assignment.

ıe Day of One thousand
by virtue of the Acts for the more
destitute Poor in Ireland, witnesseth, That in
ı of to [*or* into
id by he [*or* they] the said
doth [*or* do] grant and convey [*or* assign and transfer] unto
the said all [*insert Description of the Property conveyed or assigned*], with the Appurtenances, to hold the same unto
the said , their Successors and Assigns, [*or* his *or* their
Heirs and Assigns, *or* Executors, Administrators, and Assigns, *as the Case may require,*] for ever [*or* for the Residue of a Term
of Years, commencing from the Day of
created by an Indenture dated the Day of and
made between *or otherwise, as the Case may require*].
In witness whereof the said hath [*or* have] hereto
set his Hand and Seal [*or* their Hands and Seal, *or* their Seal, *as the Case may require*]; and the said hath [*or* have] set
his Hand and Seal [*or* their Hands and Seal, *or* their Seal, *as the Case may require*].

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