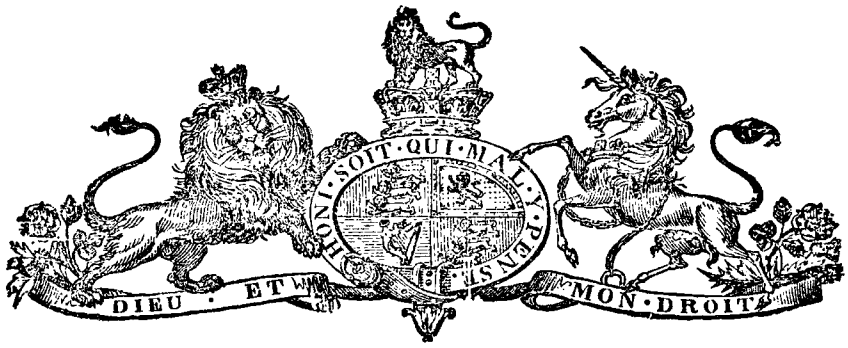



ANNO TRICESIMO & TRICESIMO PRIMO

# VICTORIÆ REGINÆ.

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## CAP. CXII.

## An Act to provide further Facilities for the Repair of Roads, Bridges, and other Public Works in *Ireland* in case of sudden Damage.

[20th *August* 1867.]

WHEREAS it is expedient that there should be further Facilities for the Repair of Roads, Bridges, and other Public Works in *Ireland* in case of sudden Damage:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Any Three Justices may order Sums not exceeding 50*l.* for repairing sudden Damages to Roads, &c.

**1.** Any Three Justices of the Peace at Petty Sessions in any County, County of a City, or County of a Town in *Ireland* may, by Writing under their Hands, order any Sum not exceeding Fifty Pounds to be expended in repairing any Road, Bridge, Pier, Quay, Wall, House, Building, or other Work in such County, County of a City, or County of a Town, now or hereafter to be constructed and maintained by Grand Jury Presentment, which may be suddenly damaged, or in erecting a temporary Bridge, Gullet, Pier, Quay, Wall, or Fence in place of any Bridge, Gullet, Pier, Quay, Wall, or Fence suddenly carried away or destroyed, or in collecting and preserving the Materials of such Bridge, Gullet, Pier, Quay, Wall, or Fence, provided it shall appear to them that the Repairs of such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work, or the other Matters hereby authorized to be done, cannot be delayed until the next Assizes without Prejudice to the Public, and that the Necessity of the same shall be notified to them by the County Surveyor; and it shall be lawful for such

Justices to appoint a proper Person or Persons to repair the same, or to execute such other Works as aforesaid, and the Grand Jury of any such County, County of a City, or County of a Town is hereby empowered to present at the next Assizes the Sum so expended in repairing any such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work, or in executing such other Works as aforesaid, to be levied on such County at large, or on the Barony, or on the County of a City or County of a Town in which the same is situate, according as the same is liable to be repaired or executed by the said County at large, or by the said Barony, or by the said County of a City or County of a Town; and the Sum so presented in the said several Cases shall be paid to the Person or Persons so appointed by such Justices to make such Repairs or execute such Works as aforesaid upon his or their producing such Order under the Hands and Seals of the said Justices, and also a Certificate under the Hand of the County Surveyor that the Sum specified in such Order appears to have been faithfully and honestly expended pursuant thereto: Provided always, that the same Justices of the Peace shall not make or sign more than One Order for the Expenditure of any Sum as aforesaid for the Reparation of the like sudden Damage between the Termination of one Assize and the Commencement of another.

In case of sudden Damage, Three Justices and Five Cesspayers may present Memorial to Lord Lieutenant.

**2.** When any Road, Bridge, Pier, Quay, Wall, House, Building, or other Work now or hereafter constructed or maintained by Grand Jury Presentment, and situate wholly within any County, County of a City, or County of a Town in *Ireland*, has been suddenly damaged, and it shall appear to any Three Justices of the County, County of a City, or County of a Town in which the same is situated, and to any Five of the Cesspayers appointed by the Grand Jury at the then preceding Assizes of the said County, County of a City, or County of a Town to be associated with the Justices at the ordinary Presentment Sessions to be holden next after such Assizes for the Purposes of the Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and sixteen, for the Barony, Half Barony, County of a City, or County of a Town in which such Damage or the greater Part thereof has occurred, that the Repairs of such Road, or that the Repairs or rebuilding of any such Bridge, Pier, Quay, Wall, House, Building, or other Work, cannot be delayed without Prejudice to the Public, and that the County Surveyor shall certify the Necessity of the same, and that the probable Cost of the same will exceed Fifty Pounds, it shall be lawful for the said Justices and Cesspayers to present a Memorial, signed by each of them, to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, stating the Nature of the sudden Damage to such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work, the said Certificate of the County Surveyor, the Nature of the Works which are necessary, the Reasons why the same cannot be delayed without Prejudice to the Public, the probable Cost of the same, and the Mode in which the Cost of the Construction and Maintenance of such Road, Bridge, Pier, Quay, Wall, House, Building, or other Work was levied, and praying that he or they should order that an Extraordinary Presentment

Presentment Sessions for the County at large, Barony, Half Barony, County of a City, or County of a Town previously chargeable with the said Cost of Maintenance, or the greater Part thereof, should meet and assemble to consider an Application to be made by the said County Surveyor for the Works necessary to repair the said Damage.

Lord Lieutenant may direct Presentment of Works under this Act.

**3.** Whenever any such Memorial shall have been presented as aforesaid it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, if he or they shall so think fit, by a Notice to be published in the *Dublin Gazette*, and also in One or more Newspapers circulating in the District in which Damage is stated in said Memorial to have occurred, and of which Notice Copies shall be posted in the usual Places for posting public Grand Jury Notices in such District, to direct and require that an Extraordinary Presentment Sessions for the County at large, Barony, Half Barony, County of a City, or County of a Town mentioned in said Memorial, shall meet and assemble at such Place in such District, for the Purpose of considering the Application for repairing the Damage stated as aforesaid, on such Day and Hour as shall be specified in such Notice, not being sooner than Five nor later than Ten Days after the Publication of such Notice in the Gazette as aforesaid; and it shall and may be lawful for every Justice of the Peace for the County, County of a City, or County of a Town in which such Extraordinary Presentment Sessions are holden respectively, not being a Stipendiary Magistrate, to attend, and such Justices respectively, and the Cesspayers associated with them respectively, as herein-after provided, are hereby required to assemble and to hold such Extraordinary Presentment Sessions respectively, for the Purposes of this Act, in such Place and at such Time as shall have been so appointed; and such Extraordinary Presentment Sessions shall in all respects be constituted as if the same had been appointed as an Ordinary Presentment Sessions by the Grand Jury of the said County, County of a City, or County of a Town by Presentment at the then preceding Assizes; and the Provisions contained in the said Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth relative to the Selection of a Chairman, and of the Cesspayers to be associated with the Justices or Justice at Presentment Sessions, and to the Casting Voice of such Chairman, shall, so far as the same are applicable, extend to such Extraordinary Presentment Sessions under this Act; and the Secretary of the Grand Jury and the County Surveyor shall attend thereat.

Justices to hold Sessions for the Purposes of this Act at the Time and Place appointed.

Applications to be made by County Surveyor.

**4.** The said County Surveyor shall make Application to such Extraordinary Presentment Sessions for the Works necessary to repair the Damage mentioned in the Notice of the holding of such Sessions, and for any temporary Works which may be necessary for the Convenience of the Public during the Progress of the said Works, and such Application shall be made in the Manner appointed for the making of Applications to Presentment Sessions by the recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth; and it shall not be necessary to lodge any

any such Application with the Secretary of the Grand Jury, but such Application shall be delivered to the Chairman at such Extraordinary Presentment Sessions, and shall be dealt with thereat in the Manner herein-after provided.

Proceedings at Extraordinary Presentment Sessions.

**5.** At any Extraordinary Presentment Sessions holden as hereinbefore provided the Justices and Cesspayers associated in the Business of such Sessions shall take into consideration the Application of the County Surveyor, and if the said Justices and Cesspayers at such Sessions as aforesaid shall approve of such Application, and of the Cost of the proposed Works, either wholly or in part, or of any Modification thereof, they shall direct the said County Surveyor to prepare such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Works, and to deliver the same when prepared to the Secretary of the Grand Jury, and also to prepare a proper Form of Tender for the Execution of such Works, expressing the Nature and Extent of such Works, and the Materials proper to be employed in performing and executing the same, and the Term within which the same shall be completed, and such other Particulars as the said Justices and Cesspayers shall think fit to prescribe, and the said Justices and Cesspayers shall appoint the Manner in which Notice for the Receipt of sealed Tenders and Proposals for the Execution of such Work shall be given, and the Period during which they shall be received, and shall direct that such Tenders and Proposals shall be opened by the Grand Jury at the then next succeeding Assizes; and the Chairman of such Sessions shall endorse such Application accordingly, and sign his Name thereto, and deliver such Application, so endorsed, to the Secretary of the said Grand Jury.

Application, Tenders, and Proposals to be laid before Grand Jury.

**6.** Such Application, sealed Tenders and Proposals, shall be laid before the Grand Jury of the County, County of a City, or County of a Town in which such Extraordinary Sessions shall have been held, at the then next succeeding Assizes, and shall be subject to such and the like Regulations in all respects as like Applications, Tenders, and Proposals are respectively subject to under the Provisions of the recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth, and any Act or Acts amending the same: Provided always, that the said Grand Jury shall present to be levied off such County at large, County of a City, or County of a Town, such Sums as shall be necessary to defray the Cost of all copying or printing necessary for the Purposes of this Act, and also such other Sums of Money to be paid to the Secretary of the Grand Jury, and to the County Surveyor or his Assistants, as shall have been actually expended by them respectively for their Expenses out of Pocket in or in respect of their respective Attendance at any such Extraordinary Presentment Sessions as herein provided.

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