

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CXXXIV.

An Act to provide for the Security and Expedition of the Conveyance of Letters by the Post in *Ireland*.

[22d *July* 1806.]

WHEREAS an Act passed in the Forty-fifth Year of the Reign of His present Majesty, intituled, *An Act to amend the Laws for improving and keeping in Repair the Post Roads in* Ireland, *and for rendering the Conveyance of Letters by His Majesty's Post Office more secure and expeditious*, requires to be amended; 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 if the Grand Jury of any County, County of a Town or City, in *Ireland*, shall at any Assizes (or Presenting Term if in the County of *Dublin*) upon Examination of any Survey, Map, or Estimate laid before them under the Provisions of the said Act, be of Opinion that the Road between the Points on the Boundaries of such County marked in such Survey or Map for the Road to pass through can be carried within such County from one such Point to the other, through such Post-town or Post-towns therein as the Road in such Survey shall have been marked to go through, in a more convenient Direction, equally or more level, and not exceeding in Length or Expence the Road set out in such Survey, it shall and may be lawful for such Grand Jury at the Time they state their Opinion to the Court, with any Reasons or Observations they may think proper, according to the Provisions of the said Act, to present, that a new Survey, Map, and Estimate be made for a Road between such Points passing through such Post-town or Post-towns, if any such there be, and to appoint such Surveyor as they shall think proper for the Purpose; and every such Surveyor shall have all and singular the like Powers, and be subject to the like Rules, Regulations, and Restrictions, and be sworn and be examined upon Oath in like Manner, in respect of the Survey, Plan, and Estimate he may make, as is provided or enacted in the said recited Act respecting any Surveyor appointed by the Postmaster General, or any Survey to be made by such Surveyor.

45 G. 3. c. 48.

Grand Jury may present that another Survey of Roads should be presented than that laid before them under the recited Act.

II. And be it further enacted, That every such Survey made by a Surveyor so appointed by the Grand Jury, shall be deemed a Re-survey within the Meaning of the said Act, and shall, together with the Maps and Estimates and Affidavits thereunto belonging, be delivered Thirty Days

Survey directed by the Grand Jury, with the Maps, &c. to be delivered 30 Days before the Assizes.

Days at the leaſt before the Commiſſion Day of the Aſſizes or Preſenting Term next enſuing after ſuch Survey ſhall be preſented to be made to the Treaſurer of ſuch County, who is hereby required to cauſe a like Notice thereof to be poſted in like Manner and at like Time as is required by the ſaid Act in reſpect to any Survey or Re ſurvey made in purſuance thereof; and upon its appearing to the Grand Jury at ſuch Aſſizes or Preſenting Term, by Proof upon Oath, that Notices in the form required by an Act paſſed 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*, has been ſerved upon each Occupier of the Land through which ſuch new Road is propoſed to be made in Manner and at the Time required by the ſaid Act, and that the Road purſuant to ſuch Re-ſurvey will be equally or more level as, and not exceed in Length, the Road laid down in ſuch preceding Survey made by Direction of the Poſtmaſter General, it ſhall be lawful for the Grand Jury, if they ſhall think proper, at ſuch Aſſizes (or Preſenting Term) to preſent the ſaid Road in the Direction marked out between ſuch two Points, either in ſuch Re ſurvey or in the Survey on which the Grand Jury at the preceding Aſſizes ſhall have ſtated their Opinion, or partly as in the one and partly as in the other, as they ſhall judge beſt to be the Poſt Road through ſuch County, County of a Town, or City; and at the ſame Time to preſent all ſuch Parts thereof as they ſhall approve of for a new Line or new Lines of Road, to be laid out, marked, and levelled, and in like Manner to preſent the Money neceſſary for laying out the ſame.

Notices being given to Occupiers, Grand Jury to preſent the Road to be made agreeable to Survey.

III. Provided always, and be it enacted, That nothing in the ſaid firſt mentioned Act or in this Act contained, ſhall deprive any Grand Jury of the Power of conſidering and deciding upon any ſuch Application for any Preſentment for any Line of Road ſo ſurveyed, or any Part thereof, or rejecting the ſame according to their Diſcretion.

Grand Jury may decide on the Line of Road.

IV. And be it further enacted, That all the Regulations, Clauſes, and Proviſions reſpecting any Road to be preſented by any Grand Jury, or the traverſing the Preſentment thereof, or reſpecting any Money to be raiſed, advanced, or accounted for under the Proviſions of the ſaid Act, (except ſo far as the ſame are altered or repealed by this Act) ſhall extend to any Road preſented, or any Money to be raiſed, advanced, or expended, or any Preſentment made under the Authority of this Act, as fully and effectually as if they were herein eſpecially recited and re-enacted reſpecting the ſame.

Regulations of recited Act reſpecting Roads to be preſented by the Grand Jury to extend to this Act.

V. Provided always, That when any Grand Jury ſhall preſent any Road to be re-ſurveyed purſuant to the Proviſions of this Act, the Court ſhall cauſe the Clerk of the Crown to ſend an atteſted Copy of ſuch Preſentment to the Poſtmaſter General; and it ſhall not be neceſſary for the Poſtmaſter General, after the Receipt of ſuch atteſted Copy, to cauſe ſuch Road to be reſurveyed in Manner preſcribed by the ſaid firſt mentioned Act.

When Grand Jury ſhall preſent any Road to be reſurveyed, an atteſted Copy ſhall be ſent to the Poſtmaſter General.

VI. And whereas the Amount of Money to be raiſed in each Preſenting Term by Preſentments of Grand Juries in the County of *Dublin*, before the paſſing of the ſaid Act, has been limited by an Act paſſed in the Parliament of *Ireland* in the Twenty-ſixth Year of His preſent Majeſty's Reign, intituled, *An Act for making, widening, and repairing publick Roads in the County of* Dublin, *and for repealing Parts of ſeveral Acts formerly made for that Purpoſe*; and it is expedient that the Amount of Money which may

26 G. 3.

be

be presented to be raised off the said County by virtue of the said first-recited Act and of this present Act should be also limited; be it further enacted, That it shall not be lawful for the Court, in any presenting Term, to allow Presentments to raise Money in the County of *Dublin*, under the Authority or for the Purposes of the said first recited Act or this present Act, exceeding in the whole One-fourth Part of the Sum, which such Court is authorized to allow by the said last recited Act passed in the Twenty-sixth Year of His present Majesty's Reign.

Court not to allow Presentments to raise Money in the County of Dublin beyond a certain Sum.

VII. And be it further enacted, That if the Whole Sum which may be to be levied under the Provisions of the said first recited Act or this present Act, or either of them, in the County of *Dublin*, cannot be levied within Six Years under the Provision aforesaid, it shall be lawful for the Grand Jury of the said County to present the Portions thereof to be respectively raised in each Year, notwithstanding such Portions may extend beyond the Term of Six Years: Provided always, that if such Portions shall extend beyond the Term of Six Years, they shall not be less in any One Year than the Sum which the Court is allowed by this Act to allow Presentments for raising in One Year.

If whole Sum be not raised within Six Years the Grand Jury to present the Portions thereof to be raised in each Year afterwards.

VIII. Provided also, and be it further enacted, That nothing in the said first recited Act contained shall extend to limit the Amount of Money to be raised at any Presenting Term, in the said County of *Dublin*, if Presentments shall have been fiated for raising at such Term, for the Purposes of the said first recited Act or this Act, or both the full Sum which the Court is allowed by this Act to allow Presentments for raising.

Recited Act not to limit the Amount of the Money to be raised at any presenting Term in the County of Dublin.

IX. And be it further enacted, That nothing in the said first recited Act or in this present Act contained, shall authorize any Grand Jury to present any Road to be made through any House above the Value of One hundred Pounds Sterling, or any Deer Park or Field inclosed with a Wall built of Lime and Stone or Brick, or through any planted Lawn or Avenue, or Orchard planted before the passing of the said first recited Act, without the Consent of the Owner thereof.

Road not to be made through any House above the Value of 100*l.* &c.

X. And whereas it is by the said recited Act enacted, that no Traverse shall be received to any Presentment made under the Authority of the said Act, except for Damages; be it further enacted, That so much of the said Act as thereto relates, shall be and is hereby repealed.

No Traverse to Presentment under recited Act, repealed.

XI. And whereas it is enacted by the said first recited Act, that in all Cases where the Trustees, Directors, or Commissioners of any Turnpike Road shall alter the same in pursuance of the said Act, they shall cause a Map of such Part of the existing Road as shall in consequence thereof be discontinued by them, to be deposited with the Treasurer of the County in which such Part shall be situated; and if the Grand Jury of such County shall not, within Eight Months after such Map shall be so deposited, present such Part to be left open as a Publick Road, and present to be raised off the Barony or Half Barony, or Baronies or Half Baronies, in which such Road shall be situated, (and which every Grand Jury is hereby empowered to do), such Sum or Sums of Money as the Materials of the said Road, and of all Bridges and Arches thereon, shall amount to, on a Valuation to be made thereof, upon Oath of Three Persons, One to be named by the Trustees, Directors, or Commissioners of such Road, One other by such Grand Jury, and the Third to be chosen by the other Two; every Part of such Road which shall not be so presented to be kept open,

So much of recited Act as respects the Map of the Road discontinued, and the Grand Jury acting thereupon, as herein mentioned, &c. repealed.

ſhall be and is hereby declared to be veſted in the Truſtees, Directors, or Commiſſioners of ſuch Road, and ſhall and may be ſet or ſold by them, or as many of them as are competent to do any Act reſpecting ſuch Road; and all Materials thereon, or in any Bridges, Arches, or Pipes upon or acroſs the ſame, may be taken down and applied by them to the Uſe and Advantage of the Road under their Care; and all Money ariſing from the Sale of ſetting of ſuch diſcontinued Road ſhall be applied in Aid of the Tolls under their Management; be it further enacted, That ſo much of the ſaid recited Act ſhall be, and the ſame is hereby repealed.

Such Parts of the recited Act as prevent the Court at any Aſſizes to fiat any Preſentment for raiſing Money for the Repair of Roads, unleſs Preſentment is allowed, &c. repealed.

XII. And whereas it is enacted by the ſaid firſt recited Act, That it ſhall not be lawful for the Court at any Aſſizes to fiat any Preſentment for raiſing Money for the Repair of any Road in ſuch County, except a Poſt Road, unleſs ſuch Preſentment as is therein mentioned be firſt made and allowed; and alſo that it ſhall not be lawful for the Court at any Aſſizes or preſenting Term, from and after the Time that any ſuch Survey or Reſurvey as is mentioned in the ſaid Act ſhall be laid before the Grand Jury to fiat Preſentments for raiſing any Money off any Barony or Half Barony, or off any County of a Town or City, in which any ſuch Poſt Road or any Part thereof ſhall be ſituated, to be extended to making, or repairing, or widening other Roads therein, to a greater Amount in the Whole, than the Sum which ſhall be directed or preſented originally, or in the Way of Increaſe thereof, to be raiſed at ſuch Aſſizes or Term, until ſuch Poſt Road ſhall be completely finiſhed; be it further enacted, That the ſaid recited Parts of the ſaid Act ſhall be and the ſame are hereby repealed.

When Survey of Road from Waterford to Limerick is finiſhed, others to be made.

XIII. And be it further enacted, That when the Survey, Maps, and Eſtimates of the Road from *Waterford* to *Limerick* ſhall be finiſhed, Surveys, Maps, and Eſtimates for a Continuance thereof from *Limerick* to *Galway* ſhall be proceeded upon immediately, any Thing in the ſaid Act to the contrary notwithſtanding.

Act not to prevent any Grand Jury from making Preſentments at Aſſizes, on Account of Want of Notice, &c.

XIV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend to prevent any Grand Jury from making any Preſentment at any Aſſizes held in the Months of *July* or *Auguſt* One thouſand eight hundred and ſix, on account of any want of Notice being ſerved, or of the Conſent of the Owner of any Houſe not having been obtained under the Proviſions of this Act, if in all other Reſpects the ſeveral Regulations preſcribed by the ſaid firſt recited Act and this preſent Act, ſhall have been duly obſerved.

Grand Jury to preſent to be raiſed on the Counties, Sums according to the Proportions herein mentioned.

XV. And whereas the Sums which Grand Juries are empowered by Law to preſent for making Surveys and Maps of their reſpective Counties, have been found inſufficient, be it therefore enacted, That it ſhall be lawful for any Grand Jury to preſent to be raiſed on the County at large, any Sum or Sums of Money not exceeding in the Whole at any One or more Aſſizes a Sum after the Rate of Three hundred Pounds for every Fifty thouſand Acres contained in ſuch County, according to the County Books or uſual Computation thereof, and ſo in Proportion for any greater or leſs Quantity for the Purpoſe of obtaining an accurate Survey and Map of the County, and of engraving ſuch Number of Copies thereof as the Grand Jury ſhall deem neceſſary for the Uſe of ſuch County.

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