ANNO QUINQUAGESIMO SEPTIMO

# GEORGII III. REGIS.

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## C A P. LXXI.

An Act to amend an Act of the Fiftieth Year of His present Majesty's Reign, for repealing the several Laws relating to Prisons in *Ireland*, and for re-enacting such of the Provisions thereof as have been found useful, with Amendments. [7th *July* 1817.]

WHEREAS it is expedient that an Act made in the Fiftieth Year of His present Majesty's Reign, intituled *An Act for repealing the several Laws relating to Prisons in* Ireland, *and for re-enacting such of the Provisions thereof as have been found useful, with Amendments,* should be amended in Manner herein-after provided for; 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 it shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town in *Ireland*, to rent or purchase any Lands or Hereditaments, or any Rights, Easements, or Advantages in, through, or over any Lands or Hereditaments which may be required for the constructing, building, repairing, cleansing, emptying, and keeping in Repair of any Sewer or Sewers, or Drain or Drains, belonging to any Gaol or Prison, or which shall by such Grand Jury be deemed necessary for the keeping any such Gaol or Prison free from Filth or Nuisance of any Kind, although such Lands or Hereditaments shall not be included in the Site of such Gaol or Prison, and to direct that all Lands or Hereditaments so rented or pur-

50 G. 3. c. 103.

Grand Juries may rent or purchase Premises for Sewers or Drains to Gaols.

chaſed, and all Rights, Eaſements, and Advantages therein, ſhall be conveyed to ſuch Commiſſioners as ſuch Grand Jury ſhall have appointed or ſhall appoint, according to the Directions of the ſaid recited Act, and to their Heirs, Executors, Adminiſtrators, and Aſſigns, in Truſt and for the Uſes and Purpoſes aforeſaid, as fully and effectually to all Intents and Purpoſes as ſuch Grand Jury might do with reſpect to any Lands or Hereditaments neceſſary for the Site of any Gaol or Priſon, and with all ſuch Powers and under ſuch Regulations as are mentioned and expreſſed in the ſaid recited Act with reſpect to any Lands or Hereditaments neceſſary for the Site of any Gaol or Priſon, and as if all ſuch Powers and Regulations, and all Clauſes in the ſaid recited Act relating to the ſame, were repeated and re-enacted in this Act.

Grand Juries may preſent the whole Sums neceſſary for completing the building or repairing of Gaols.

II. And whereas in ſome Inſtances the building, enlarging, or repairing of Gaols or Priſons for ſome Counties and Counties of Cities and Counties of Towns in *Ireland*, has been begun according to the Proviſions of ſome Act or Acts ſpecially relating thereto paſſed before the paſſing of the ſaid recited Act of the Fiftieth Year of His preſent Majeſty's Reign, and the ſaid Works are in ſome Inſtances not yet completed by reaſon of the reſtricted Powers of Grand Juries in ſuch Caſes, and of the Want of Authority under ſuch Acts in the Lord Lieutenant or other Chief Governor of *Ireland* to advance the Sums neceſſary for the Completion thereof upon Preſentments of the ſame by Grand Juries, to be repaid by Inſtalments; by reaſon whereof the ſaid Works have proceeded ſlowly, to the great Inconvenience of the Public, and are likely to be attended with greater Expenſe in the End than if the whole Sum neceſſary for the Completion thereof were to be advanced in the firſt Inſtance; be it therefore enacted, That from and after the paſſing of this Act it ſhall and may be lawful for the Grand Jury of every ſuch County, County of a City, or County of a Town ſo circumſtanced, in all Caſes in which they ſhall think the ſame expedient, at any Aſſizes after the paſſing of this Act, to preſent the whole Sum neceſſary to be expended in completing and finiſhing the building, enlarging, and repairing of ſuch Gaol or Priſon, over and above ſuch Sum or Sums as may at the Time of making ſuch Preſentment be in the Hands of any Body or Perſon or Perſons under the Proviſions of any ſuch ſpecial Act or Acts, and remaining unexpended; and to direct, in and by ſuch Preſentment, that ſuch Sum ſo to be preſented ſhall be raiſed on the County, County of a City, or County of a Town, by ſuch Half-yearly or Yearly Sums or Inſtalments, and in ſuch Manner and at ſuch Times, as ſhall be ſpecified in ſuch Preſentment, and ſuch Sums ſhall be ſo raiſed accordingly; and it ſhall be lawful for any ſubſequent Grand Jury at any Aſſizes to preſent that any of the ſaid Inſtalments ſhall be increaſed to any Sum which ſhall be found neceſſary or proper; and after ſuch Preſentment for ſuch Sum ſo deemed neceſſary for completing and finiſhing the building, enlarging, and repairing of ſuch Gaol or Priſon, ſhall be made, it ſhall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being to cauſe to be advanced at the Receipt of His Majeſty's Exchequer in *Ireland*, to the Treaſurer of ſuch County, County of a City, or County of a Town, on the Faith of ſuch Preſentment, the whole of the Sum ſo preſented, or ſo much thereof as ſhall not have been raiſed or received at the Time of ſuch Advance, or any Part, Share, or Proportion thereof; and ſuch Sum or Sums ſhall be applied by ſuch Treaſurer to the Purpoſes of ſuch Preſentment, and ſhall be repaid by ſuch Treaſurer

Lord Lieutenant may order to be advanced at the Exchequer Money on ſuch Preſentments.

to the Collector of Exciſe of the Diſtrict in like Manner and under the like Regulations in all Reſpects as are mentioned, ſpecified, and ſet forth in the ſaid recited Act of the Fiftieth Year of His Majeſty's Reign with reſpect to Advances by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for the Purpoſes of the ſaid recited Act; and that it ſhall be lawful for the Grand Jury making ſuch Preſentment (if they ſhall think fit ſo to do) to appoint Commiſſioners for cauſing the ſaid Preſentments to be carried into Execution and Effect, and for ſuch Commiſſioners to act in carrying ſuch Preſentments into Execution and Effect, and to contract for the Execution thereof, and alſo to receive and expend and account for all Monies on account of ſuch Preſentment in ſuch and the like Manner, and with all ſuch Powers, and under all ſuch Regulations to all Intents and Purpoſes, as ſuch Grand Jury and Commiſſioners reſpectively, or any other Perſon or Perſons, are authoriſed and required to do, under or by virtue of the ſaid recited Act of the Fiftieth Year of His Majeſty's Reign, in all Caſes provided for by the ſaid recited Act, and as if all ſuch Powers and Regulations, and all Clauſes in the ſaid recited Act relating to the ſame, were repeated and re-enacted in this Act; any Thing in any Act or Acts ſpecially relating to ſuch Gaol or Priſon to the contrary in anywiſe notwithſtanding.

Commiſſioners may be appointed.

III. Provided always, and be it enacted and declared, That before any Advance ſhall be made by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being in Manner authorized by this Act, the Place or Site upon which ſuch Gaol is intended to be built, or has been in part built, together with the Plan adopted for the Execution of the ſaid Work, and alſo the Contract or Contracts for completing the ſame, ſhall be laid before and approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and that it ſhall not be lawful for the Grand Jury or Commiſſioners to depart from the Plan ſo approved of.

Before Money is advanced Plan of the Works and Contracts to be approved by Lord Lieutenant.

IV. And be it further enacted, That in all Caſes in which the Grand Jury of any County, County of a City, or County of a Town, ſhall, under the Proviſions of this Act, make ſuch Preſentment as aforeſaid, and that ſuch Advance ſhall be thereupon made by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, then and in every ſuch Caſe, all Rights, Powers, and Authorities given by ſuch ſpecial Act or Acts to all Bodies and Perſons therein mentioned ſhall ceaſe and determine, and be of no Effect, any Thing in any ſuch Act or Acts notwithſtanding; and that all Monies theretofore raiſed by virtue of any ſuch ſpecial Act or Acts, and remaining unapplied in the Hands or Power of any Body, or Perſon or Perſons, to the Purpoſes thereof, ſhall after the making of ſuch Preſentment and Advance, be forthwith paid over or transferred by ſuch Body or Perſon or Perſons reſpectively to the Treaſurer of ſuch County, County of a City, or County of a Town, in aid of ſuch Preſentment to be made under this Act, as if ſuch Money had been originally preſented for ſuch Purpoſes under the Proviſions of the ſaid Act of the Fiftieth Year of His Majeſty's Reign, or of this Act; and that from and after the Appointment of the Commiſſioners ſo to be appointed as aforeſaid, all Materials previouſly purchaſed or procured for or towards the Completion of any ſuch Gaol or Priſon ſhall be and become veſted in ſuch Commiſſioners for the Purpoſes of this Act: Provided always, that nothing

Powers given by ſpecial Acts to ceaſe, after ſuch Advances are made.

Unapplied Monies raiſed under ſuch Acts to be paid over to Treaſurer of the County.

Materials to be veſted in the Commiſſioners.

Perſons who have received Money to account.

nothing herein contained ſhall prevent the Perſon or Perſons who may have received Money under the Proviſions of any ſuch ſpecial Act or Acts, and who ſhall not have the ſame forthcoming at the Time of making any Preſentment or Advance by virtue of this Act, or who ſhall not have accounted for the ſame, from being liable to account for the ſame in the Manner provided by ſuch ſpecial Act or Acts, any Thing in this preſent Act contained to the contrary thereof notwithſtanding; and that all the Proviſions of any ſuch ſpecial Act or Acts for the ſuing for and recovering all ſuch Sums as ſhall not be accounted for ſhall remain in ſuch Caſes in full Force; and all ſuch Sums as ſhall be ſo recovered ſhall be paid over or transferred to the Treaſurer of ſuch County, County of a City, or County of a Town, to be applied in Manner herein-before mentioned.

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