

ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. LXXXVIII.

An Act to amend Two Acts, made in the laſt Seſſion of Parliament, for authorizing the Iſſue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fiſheries, and Employment of the Poor; and to extend the Powers of the Commiſſioners appointed for carrying the ſaid Acts into Execution in *Ireland*. [5th *June* 1818.]

WHEREAS by an Act made in the laſt Seſſion of Parliament, intituled *An Act to authorize the Iſſue of Exchequer Bills, and the Advance of Money out of the Conſolidated Fund, to a limited Amount, for the carrying on of Public Works and Fiſheries in the United Kingdom, and Employment of the Poor in* Great Britain, *in Manner therein mentioned;* it is among other Things enacted, that at any Time after the paſſing of the ſaid Act, by or out of ſuch Monies as ſhall at any Time or Times remain in the Receipt of the Exchequer of *Ireland*, or out of the growing Produce of the Conſolidated Fund of the United Kingdom ariſing in *Ireland* (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid in *Ireland* out of the ſaid Conſolidated Fund), there ſhould and might be iſſued, by Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time, in Manner and under the Regulations in the ſaid Act mentioned and contained, any Sum or Sums of Money not exceeding in the whole the Sum of Two hundred and fifty thouſand Pounds, to be applied to the Purpoſes of the ſaid Act, in Manner and under the Regulations therein mentioned; and it was alſo enacted, that it ſhould be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for 57 G. 3. c. 34.

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the Time being to appoint such Persons as he or they should think fit to be Commissioners for the Execution of the said Act in *Ireland*, in Manner therein mentioned: And whereas the said recited Act was amended by another Act made in the same Session of Parliament, and it is expedient that the said recited Acts shall be amended in Manner herein-after mentioned; 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 it shall and may be lawful to and for the Commissioners for the Time being for the Execution of the said recited Acts in *Ireland*, by and with the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to make any Advance of Money under the said recited Acts and this Act in Aid of any Public Work carried on under the Direction of any Corporation in *Ireland*, or of any Commissioners appointed by Parliament, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, upon the Credit of any Rates, Rents, Tolls, or Profits which are or shall be levied, paid, and applied under the Authority or Control of any such Corporation, or of any Commissioners or Persons so appointed; and also to make any such Advances upon the Credit of any Presentment to be made by the Grand Jury of any County, or County of a City or County of a Town, provided that such Presentment be made in the Manner herein-after mentioned and directed; and that in all Cases where any Advance of Money shall be made upon the Credit of any such Rates, Rents, Tolls, or Profits, or of such Presentments, it shall and may be lawful to and for the said Commissioners, by and with the Consent aforesaid, to direct such Advance to be made upon One or more Mortgage or Mortgages, Assignment or Assignments of such Rates, Rents, Tolls, or Profits only, without requiring any personal Security for the same; and also to advance any Sum or Sums of Money, under the Provisions of the said recited Acts and this Act, at such Rate of Interest, not less than Five Pounds *per Centum*, nor more than Six Pounds *per Centum*, as to the said Commissioners shall seem fit, and to provide that the principal Money so to be advanced shall be repaid by Instalments in any Sum or Sums not less than Five Pounds *per Centum per Annum* of the principal Money so lent or advanced, as the said Commissioners shall think fit.

Commissioners may advance Money for Public Works, under Direction of any Corporation or Commissioners, on the Credit of the Rates, &c. or on the Credit of Presentments to be made by Grand Juries; upon Mortgage of the Rates, &c.

Money to be advanced at Interest from 5l. to 6l. per Cent. payable by Instalments.

II. And be it further enacted, That it shall and may be lawful to and for any Grand Jury of a County, or County of a City, or County of a Town, at any Assizes, or if in the County of *Dublin*, or County of the City of *Dublin*, in any presenting Term, to present any Sum or Sums of Money for the Purpose of any Public Work which is by the Laws now in force competent for them to present, in order to obtain Advances of Money from the said Commissioners, and to set forth in such Presentment that such Sum or Sums of Money shall be raised and levied by yearly Instalments of not less than Five Pounds *per Centum* of the whole Sum to be expended, and likewise to present a Sum sufficient to pay the annual Interest of such Sum or Sums to be so expended, at a Rate not less than Five Pounds *per Centum*, nor more than Six Pounds *per Centum*, and to set forth in such Presentment what Part thereof shall be raised upon any Barony or Baronies in such County, or on the County at large; and that the Treasurer of such County, County of a City, or County of a Town, shall from Time to Time, without further Authority or Presentment in that behalf, insert in his Warrant, at each Assizes or presenting Term (if in the County of *Dublin* or County of the City of *Dublin*), the Portion or

Grand Juries may make Presentments for any Public Works, in order to obtain Advances of Money for the same, payable by Instalments.

Portions ſo ſet forth of the Sum ſo preſented, and the Sum for annual Intereſt thereof; and the ſame ſhall be raiſed and levied in like Manner from Time to Time, and with like Remedy in caſe of Non-payment, as all other Money directed by ſuch Warrant is by Law to be levied; and when and ſo ſoon as ſuch Preſentment ſhall have been duly certified by the acting Clerk of the Crown to the Commiſſioners for the Execution of the ſaid recited Acts and this Act, and not ſooner, it ſhall and may be lawful to and for the ſaid Commiſſioners to advance ſuch Sum of Money ſo preſented, or any Part thereof as herein-before mentioned, to the Treaſurer of ſuch County, County of a City, or County of a Town, to be applied for the Purpoſe of accompliſhing the Works for which ſuch Preſentment or Preſentments ſhall have been made; and all ſuch Money ſo advanced and paid to ſuch Treaſurer ſhall be accounted for by him in like Manner as any other Monies received by him for the Uſe of ſuch County; and all Securities given by him or in his Behalf ſhall extend to ſuch Money.

Preſentment being certified by Clerk of the Crown to the Commiſſioners, they may advance the Money.

III. And be it further enacted, That every ſuch Treaſurer receiving any ſuch Money ſhall pay into the Receipt of His Majeſty's Exchequer in *Ireland* all ſuch Sums as ſhall from Time to Time be received from the Baronial or other Collectors by virtue of the Preſentments on account of which ſuch Money ſhall have been advanced, until the whole Sum advanced ſhall be repaid, together with Intereſt for the ſame, at the Rate at which it ſhall have been agreed that the ſame ſhall be repaid.

Treaſurer ſhall pay Inſtalments as received into the Exchequer.

IV. Provided always, and it is hereby enacted, That if any Sum or Sums of Money, for Repayment of which any Preſentment or Preſentments ſhall have been made, ſhall not be obtained from or granted by the ſaid Commiſſioners for the Execution of the ſaid recited Acts and this Act, within Six Months from the Time of making ſuch Preſentment or Preſentments, that then and in ſuch Caſe every ſuch Preſentment or Preſentments, for or on account of which Money ſhall not have been obtained as aforeſaid, ſhall be quaſhed or vacated by the next going Judge of Aſſize, or by His Majeſty's Court of King's Bench if in the County or County of the City of *Dublin*, at the Aſſizes or in the Term, as the Caſe may be, next following the Expiration of the ſaid Six Months, any Thing in this Act contained to the contrary thereof notwithſtanding; and if it ſhall ſo happen that any Money ſhall have been raiſed by virtue of any ſuch Preſentment or Preſentments, which ſhall not be required for the Purpoſes for which it ſhall have been ſo raiſed, the ſame ſhall be carried to the Credit generally of the County, or of the County of the Town, or of the County of the City, whereon the ſame ſhall have been levied by the Treaſurer of ſuch County, or County of a Town, or County of a City reſpectively.

If Money not advanced in Six Months, Preſentment ſhall be quaſhed.

Surplus Money raiſed ſhall be carried to the Credit of the County.

V. And be it further enacted, That in all Caſes where any Advance or Advances of Money ſhall be required to be made on the Security of any Preſentment or Preſentments directed by any Act or Acts of Parliament in force in *Ireland* to be made by any Grand Jury or Grand Juries in *Ireland* for any ſpecial or particular Purpoſe or Purpoſes, or in Aid of any Public Works or Charitable Inſtitutions carried on under the Management or Direction of any Corporation, or of any Commiſſioners or Perſons appointed as in the ſaid recited Acts and herein-before mentioned, it ſhall and may be lawful for the Commiſſioners for the Execution of the ſaid recited Acts and this Act in *Ireland*, by and with the Conſent and Approbation aforeſaid, to direct ſuch Advance or Advances

Advances on Credit of Preſentments may be paid by Mortgage or Aſſignment of Preſentments, whereof Notice ſhall be given to the County Treaſurer.

vances to be made upon Mortgage or Aſſignment of ſuch Preſentment or Preſentments, without requiring any Perſon or Perſons to enter into any perſonal Security for the ſame, ſuch Advances to be made at ſuch Rate of Intereſt, not leſs than Five Pounds *per Centum per Annum*, nor more than Six Pounds *per Centum per Annum*, as to the ſaid Commiſſioners for the Execution of the ſaid recited Act and this Act in *Ireland* ſhall ſeem fit; and provided that the principal Sum or Sums to be ſo advanced ſhall be repaid by Inſtalments of not leſs than Five Pounds *per Centum per Annum* on the original principal Sum advanced as the ſaid Commiſſioners ſhall think fit; and that it ſhall and may be lawful to and for the Commiſſioners for the Execution of the ſaid recited Acts and this Act, to take and accept a Mortgage or Mortgages of ſuch Preſentment or Preſentments, for ſecuring the Repayment of ſuch Advance or Advances and the Intereſt thereof; or to advance Money upon the Credit of ſuch Preſentment or Preſentments, to be ſecured by any ſuch Deed or Deeds or other Inſtrument, or by ſuch other Method as ſhall be deemed neceſſary for that Purpoſe by the ſaid Commiſſioners; and that it ſhall and may be lawful to and for the Grand Jury, who ſhall be ſworn at ſuch Aſſizes, or at ſuch Term if in the County of *Dublin* or County of the City of *Dublin*, as the Caſe may be, at which ſuch Preſentment ſhall have been made, to aſſign ſuch Preſentment, and the Money to be derived thereby, to the ſaid Commiſſioners, by ſuch Deed or Inſtrument as ſhall be required by the ſaid Commiſſioners; Notice of which Deed or Deeds or ſuch Security ſhall be given in Writing to the Treaſurer or Treaſurers of the County or Counties upon which the Preſentment or Preſentments ſo to be aſſigned, mortgaged, or ſecured, ſhall have been directed to be raiſed; and from thenceforth ſuch Treaſurer or Treaſurers ſhall be accountable for the due and regular Payment of the annual Sums ſo agreed to be repaid in diſcharge of ſuch principal Sums and the Intereſt thereof, at the Times and in the Manner ſet forth in ſuch Deed or Deeds of Aſſignment or Mortgage to be executed as aforeſaid; and all Securities given by him or them, or on his or their Behalf, ſhall extend to ſuch Money.

No Bond or other Security to be liable to Stamp Duty.

VI. And be it further enacted, That no Bond to His Majeſty, nor any Mortgage, Surrender, Aſſignment, or other Inſtrument or Aſſurance taken by the ſaid Commiſſioners in *Ireland* in the Name of their Secretary for the Time being, or otherwiſe, under the ſaid recited Acts or this Act; nor any Examination, Affidavit, Depoſition, Receipt, or Conſent by Sureties or Surety to an Extenſion of Time granted by the ſaid Commiſſioners for Payment of any Exchequer Bills, or Money advanced to any Principal by virtue of the ſaid recited Acts or this Act; nor any Receipt or other Document which may be taken or made under and by virtue of the ſaid recited Acts or this Act, and for the Purpoſe of carrying the ſaid Acts and this Act into Execution in *Ireland*, ſhall be liable to any Stamp Duty whatever; any Thing in any Act or Acts in force in *Ireland* to the contrary in anywiſe notwithſtanding.

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