

ANNO UNDECIMO

VICTORIÆ REGINÆ.

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CAP. I.

An Act to facilitate the Completion, in certain Cases, of Public Works in *Ireland*.

[20th *December* 1847.]

WHEREAS an Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Employment of the Labouring Poor, for a limited Period, in the distressed Districts in* Ireland: And whereas Extraordinary Presentment Sessions have been held for certain Baronies, Half Baronies, Counties of Cities, and Counties of Towns in *Ireland*, and Presentments have been made thereat, for the Execution of Public Works in such Districts respectively, under the Provisions of the said recited Act, and the Commissioners of Her Majesty's Treasury have in many Cases sanctioned and approved of such Public Works so presented, or certain Parts thereof, and have authorized the Execution thereof by the Commissioners of Public Works, and made large Advances of Monies from Time to Time to the said Commissioners of Public Works for the Execution of the same, pursuant to the Provisions of the said recited Act: And whereas the Period for executing Works under the said recited Act has expired, and several of the said Works being unfinished, it is expedient that Provision should be made, in certain Cases, for the Completion of the same: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent

9 & 10 Vict. c. 107.

Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That whenever it may seem expedient to any Three or more Justices of the Peace, not being Stipendiary Magistrates, in and for any County in *Ireland*, that a Special Presentment Sessions for any Barony or Half Barony in such County should assemble and make Presentments for the Completion of Public Works in such Barony or Half Barony, under the Provisions of this Act, it shall be lawful for such Justices, by Notice under their Hands, to be posted on the Places appointed for posting Notices of Applications to Presentment Sessions in the Barony or Half Barony in which such Works are proposed to be completed, to convene a Special Meeting of the Justices and Cess-payers associated with such Justices at the last Special or Presentment Sessions held in such Barony or Half Barony, for the Purposes of an Act passed in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland; and such Meeting shall be held at the Place appointed for the holding of such Special Presentment Sessions, at such Time as shall be specified in such Notice, not being sooner than Seven Days from the Time of posting such Notice, and at such Meeting the Secretary of the Grand Jury shall attend; and the said Justices and Cess-payers, or so many of them as shall be present at such Meeting, shall constitute a Special Presentment Sessions for the Purposes of this Act: Provided always, that before such Meeting shall be convened the said Justices authorized to convene the same shall inquire from the County Surveyor and determine the most convenient Time for holding such Meeting, having regard to the Report to be made to such Meeting by such County Surveyor, under the Provisions herein-after contained.

Three or more Justices may, by Notice, convene a Special Meeting of the Justices and Cess-payers associated at the last Presentment Sessions held under 6 & 7 W. 4. c. 116.

Justices and Cess-payers present at such Meeting to constitute a Special Presentment Sessions for the Purposes of this Act.

II. And be it enacted, That all and every the Provisions contained in the said recited Act of the Sixth and Seventh Years of the Reign of the said King *William* the Fourth, relative to the Selection of a Chairman, and the Powers, Duties, and Authorities of such Chairman at Presentment Sessions, and relative to the Powers, Duties, and Authorities of Justices and Cess-payers respectively at Presentment Sessions, shall, as far as the same are applicable, extend to all Special Presentment Sessions to be held under this Act, and to the Proceedings to be had thereat; and that all and every the Provisions contained in the said recited Act relating to the Declarations to be made by the Justices and Cess-payers respectively who shall act at any Presentment Sessions, and also relating to the Powers, Duties, and Authorities of the Secretaries of Grand Juries, County Surveyors, Clerks of the Crown, Clerks of the Peace, and all other Officers respectively, shall, as amended by an Act passed in the Seventh Year of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the Seventh Year of the Reign of His present Majesty, for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, as far as the same are applicable or may be necessary for carrying out the Provisions of this Act, and not inconsistent with such Provisions, extend to all Proceedings respectively to be had under the Provisions of this Act, in as full

Provisions of 6 & 7 W. 4. c. 116. to extend, so far as same are applicable, to Special Presentment Sessions convened under this Act.

7 W. 4. & 1 Vict. c. 2.

full and ample a Manner, to all Intents and Purposes, as if the same were herein repeated and enacted, unless where other Provisions are hereby substituted; provided that in any Declaration to be made by any such Justice or Cess-payer the Title of this Act shall be inserted, together with the Title of the said Act of the Sixth and Seventh Years of King *William* the Fourth.

County Surveyor to report to Special Presentment Sessions held for any Barony or Half Barony the Works for which Presentments and Advances have been made under 9 & 10 Vict. c. 107., remaining unfinished in the same. What such Report shall contain.

III. And be it enacted, That the County Surveyor shall report to the Special Presentment Sessions which shall be held for any such Barony or Half Barony in *Ireland* under the Provisions of this Act the Nature and Description of any Public Works for which Presentments shall have been made at any Extraordinary Presentment Sessions held for such Barony or Half Barony, and the Expence of which, or any Part thereof, shall be chargeable thereon, and in respect to which Advances shall have been made by the Commissioners of Her Majesty's Treasury under the Provisions of the said recited Act of the Ninth and Tenth Years of the Reign of Her present Majesty, and which Public Works, or any Part thereof, shall still remain unfinished; and such Report shall be prepared by such County Surveyor with all possible Expedition after the passing of this Act, and shall contain a Description of the said Public Works, and the Townland, Barony, or Half Barony wherein the same are situate, and shall specify the Amount which has been authorized by the Commissioners of Her Majesty's Treasury to be applied to the Execution of such Works under the Provisions of the said last-mentioned Act, and the Amount thereof which shall remain unexpended, and the probable Expence of completing such Works, and the Utility thereof, and the Barony or Half Barony by which the Expence of completing the same should be defrayed.

Special Presentment Sessions to decide whether any such Works ought or ought not to be completed under the Provisions of this Act. If Presentment Sessions decide that such Works ought to be completed, County Surveyor to prepare Tenders, &c.

IV. And be it enacted, That at the Special Presentment Sessions held for any Barony or Half Barony under the Provisions of this Act the Justices and Cess-payers associated in the Business of such Sessions shall take such Report into consideration, and decide by a Majority of Votes on the Merits of the Works specified therein, and whether the same ought or ought not to be completed, and whether wholly or in part, or conditionally in the event of the Expence thereof not exceeding a certain specified Sum, and what Modification thereof, if any, may be proper; and if such Justices and Cess-payers approve of the Completion of any such Work, either wholly or in part, or conditionally, or of any Modification thereof, they shall direct the County Surveyor to prepare a proper Form of Tender for the Execution of the same, together with such Specifications, Maps, Plans, Sections, or Elevations as may be necessary, expressing the Nature and Extent of such Work, and in case the same shall be a public Road, the Quantity *per* Perch and the Description of the Material proper to be employed in performing and executing the same, and the Term within which such Work ought to be completed, and such other Particulars as the said Justices and Cess-payers shall think fit; and such Chairman shall endorse on such Report the Decision of the said Justices and Cess-payers in respect of the Works described therein, and shall sign his Name thereto, and deliver such Report, so endorsed, to the Secretary of the Grand Jury, and such

County Surveyor shall deliver such Forms of Tender, Specifications, Maps, Plans, Sections, or Elevations in respect of the several Works to which such Report shall relate, as soon thereafter as the same can conveniently be prepared, to the Secretary of the Grand Jury; and the said Justices and Cess-payers shall appoint the Manner in which Notice for the Receipt of Tenders and Proposals for the Execution of such Works shall be given, and the Period during which they shall be received, and shall adjourn such Special Presentment Sessions until an early Day, to be then holden for the opening of such sealed Tenders and Proposals, such Day not being later than Thirty Days from the Day of such Adjournment.

Special Presentment Sessions may make Presentments for completing Works to be raised by Instalments off Barony or Half Barony wherein Works are situated.

Amount presented not to exceed a certain Amount.

V. And be it enacted, That the Justice or Justices and Cess-payers assembled at any Special Presentment Sessions held under the Provisions of this Act are hereby authorized and empowered to make Presentments for the Completion of such Public Works within the Barony or Half Barony for which such Special Presentment Sessions shall be held, to be raised, if such Justice or Justices and Cess-payers shall so think fit, by Instalments, not exceeding Twenty in Number, as the said Justice or Justices and Cess-payers shall direct, with Interest at the Rate of Five Pounds *per Centum per Annum* to be levied off the respective Baronies or Half Baronies within which such Works shall be respectively situate, and properly chargeable therewith: Provided always, that the Amount to be presented for any such Work shall not in any Case exceed the Residue or Balance remaining unexpended of the Amount authorized to be applied to the Execution of such Work by the Commissioners of Her Majesty's Treasury under the Provisions of the said first-recited Act.

Schedule of Works to be submitted to Lord Lieutenant for his Sanction and Approval, and the same not to be undertaken under this Act without his Consent.

VI. And be it enacted, That the Secretary of the Grand Jury for each County wherein Special Presentment Sessions shall have been held under the Provisions of this Act shall cause to be made out, as soon thereafter as the same can be conveniently prepared, and shall sign with his Name, a Schedule specifying each Work which shall have been duly approved and presented at any such Special Presentment Sessions, and the Sum so presented for the same, and shall transmit the same to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, for his Sanction and Approval; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to signify to the Secretary of the Grand Jury, by a Certificate under the Hand of the Chief Secretary or Under Secretary of the Lord Lieutenant, his or their Approval or Disapproval of such Works or any Part thereof; and no Work or Part thereof which shall be so disapproved of by the said Lord Lieutenant or other Chief Governor or Governors shall be undertaken or executed under the Provisions of this Act.

Secretary of Grand Jury to notify, by public Advertisement, his Readiness to receive

VII. And be it enacted, That the Secretary of the Grand Jury shall, upon being furnished by the County Surveyor with the Specification or Form of Tender for the Execution of any such Work as aforesaid, and the Maps, Plans, Sections, and Elevations belonging thereto, notify, by public Advertisement or otherwise, in such Manner as the Justices and Cess-payers at such Special Presentment

Sessions

Sessions shall have directed, his Readiness to receive sealed Tenders and Proposals for the Execution of any such Work during such Period as shall have been appointed by the same Authority for the Reception of the same, and the Time to which such Sessions has been adjourned for the opening of such Tenders and Proposals, and that Forms thereof may be obtained at his Office; and such Secretary shall accordingly prepare a sufficient Number of Forms of such Tenders and Proposals, and furnish to any Person who shall demand the same a Copy thereof, receiving therefor the reasonable Cost of preparing the same, not exceeding the Sum of Sixpence; and each of such sealed Tenders and Proposals shall contain a Statement of the lowest Sum for which the Party making such Proposal is willing to contract for the Performance of the Work or Works specified and described in such Notification, and shall be subscribed with the Name, Description, and Residence of the Party so desirous to enter into such Contract, and also the Names, Descriptions, and Residences of not less than Two sufficient Persons willing to be bound jointly and severally with him for the due and faithful Performance of the said Contract within the Time and in the Manner thereby prescribed, in a penal Sum double the Amount of the said Sum specified in such Presentment; and all Maps, Plans, Sections, and Specifications relating to any such Work, prepared by the County Surveyor, shall be open to public Inspection in the Office of such Secretary, without Fee or Reward.

Tenders for the Execution of Works, and shall furnish Forms for the same.

Contents of Tenders, &c.

VIII. And be it enacted, That at the Meeting of each such adjourned Special Presentment Sessions as aforesaid the Secretary of the Grand Jury shall in open Court produce, duly numbered and arranged, and with the Seals unbroken, all the Tenders and Proposals which may have been delivered to him, and shall open consecutively all those relating to the same Public Work; and so soon as the lowest Proposal made for the Performance of each such Work shall be ascertained the Party making such Proposal and his Sureties shall be called, and if the said Party and his Sureties shall appear, and shall satisfy the Justices and Cess-payers at such Sessions, upon Oath or otherwise, of the Sufficiency and Ability of each and every of them to answer and make good the Penalty herein-before specified for the Nonperformance of such Contract, and that such Proposal has not been made for any unfair or fraudulent Purpose, and shall thereupon enter into Security for the due Performance of such Contract, conditioned in such Penalty as aforesaid, such Proposal shall be accepted, and the Party making the same shall be declared entitled to execute the Work to which such Proposal may refer, unless there shall appear some Reason for rejecting it; but if the Party making such Proposal and his Sureties shall not appear when called, or shall fail to satisfy the Justices and Cess-payers at such Sessions in any of the Particulars aforesaid, or shall decline to enter into such Security as aforesaid, or if the Presentment Sessions shall see Cause to reject it, then and in such Case the Proposal of the Party making default as aforesaid shall be deemed null and void to all Intents and Purposes whatsoever, and the next lowest Proposal shall be ascertained and dealt with in the same Manner, and so on until the said Security shall be entered into, and the Contract duly completed: Provided always, that if no Proposal

At adjourned Sessions Tenders to be opened and Contract entered into with the Party making the lowest Proposal.

If no Tender or Proposal be made, or

approved of by Special Presentment Sessions, the Work may be given in charge to County Surveyor, who shall cause the same to be executed.

posal shall be made in respect of any Work as so approved by the Lord Lieutenant within the Time limited for receiving such Proposal, or if no Proposal or Tender for such Work shall be approved of by such Special Presentment Sessions, it shall and may be lawful for the said Special Presentment Sessions, if they think proper, to give such Work in charge to the County Surveyor, with Power to expend a Sum not exceeding the Maximum so approved and fixed as aforesaid; and such County Surveyor shall cause such Work to be executed, and shall account for the Execution thereof to the Grand Jury at the following Assizes.

Form of Security.

IX. And be it enacted, That such Security so to be entered into by Contractors under this Act and their Sureties shall be a Recognizance to Her Majesty, Her Heirs and Successors, and of like Force, Validity, and Effect as other Recognizances made to the Queen's Majesty; and at such adjourned Special Presentment Sessions any Justices present, or the Chairman, are and is hereby authorized to take such Recognizance, and the Secretary of the Grand Jury shall prepare the same, and come provided therewith, so as to prevent Delay; and the Expence of preparing the same, not exceeding Sixpence, shall be defrayed by the Party or Parties entering thereinto; and such Recognizances shall be preserved in Custody of such Secretary until the Condition of such Recognizance shall have been fullfiled, and shall then be delivered up to the Contractor or Contractors therein named, or to any Person by him or them duly authorized, to be cancelled.

Secretary of the Grand Jury shall keep a Book with Particulars of Contracts;

X. And be it enacted, That the Secretary of the Grand Jury shall have charge of all such Contracts as aforesaid, and shall provide and keep a Book in which he shall insert an Abstract of all such Contracts, setting out the Names of the several Contractors, and the Particulars of each Contract, and all Contracts so entered in such Book shall be numbered, and every such Book shall have an alphabetical Index referring to the Number of each Contract; and such Secretary of the Grand Jury shall, as soon as may be afterwards, prepare Schedules of all Reports and Certificates for Works so contracted for, approved of and presented for as aforesaid, and cause the same to be printed and distributed in the same Manner as he is by the said recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth required to do with respect to Applications approved of at Presentment Sessions, and shall immediately thereafter deliver all such Reports of Works so presented for to the Clerk of the Crown for the County to which the same shall relate, who shall preserve the same, and within Seven Days after such Delivery deliver to the Treasurer of such County, without Fee or Reward, a Copy thereof, attested upon Oath, and signed by himself; and such Treasurer shall return the same to the Foreman of the Grand Jury, at the Time when they shall be first impannelled at the ensuing Spring Assizes; and all and every the Powers, Authorities, or Provisions given or contained in the said last-mentioned Act in relation to Works, or the Execution of the same, and the raising or levying the Expence of the same, shall, as far as the same are applicable, and not inconsistent with this Act, extend and

and shall prepare Schedules.

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be applied in relation to the Works to be executed under this Act; and the several Forms in the Schedule to the said last-mentioned Act contained shall be used and applied, or altered and made applicable, as Occasion may require, in or in relation to the several Proceedings under this Act.

Money for Completion of Works to be raised by compulsory Payment.

XI. And be it enacted, That the Secretary of the Grand Jury for each such County as aforesaid, upon receiving the Certificate of Approval of the Lord Lieutenant or other Chief Governor or Governors of any Public Works for which Presentments shall have been made under the Provisions of this Act, or of any Part thereof, shall lay before the respective Grand Jury, at the next Assizes or Presenting Term, such Certificate of Approval, together with a Schedule under his Hand, attested upon Oath, of the respective Presentments for the Works as so approved, or in part approved, by the Lord Lieutenant, which shall have been contracted for or given in charge to the County Surveyor as aforesaid, and also specifying the respective Sums so under the Provisions of this Act required to be raised for such Works so wholly or in part approved and contracted for or given in charge within any such Barony or Half Barony respectively, and the Number and Amount of Instalments, if any, in which every such Sum respectively is by such Presentment so approved to be raised, with Interest thereon as aforesaid; and it shall be lawful for every such Grand Jury, and they are hereby required, to present the Sum or Instalments, as the Case may be, mentioned in every such Certificate of Approval and Schedule in the Manner therein approved and described, to be raised off the respective Baronies or Half Baronies, as the Case may be, within which such Works shall be respectively situate: Provided always, that if the Grand Jury of any County shall fail to present the Sum, or any Part thereof, or the Instalment, as the Case may be, specified in any such Certificate and Schedule, the Treasurer of such County shall and he is hereby required to insert such Sum, or such omitted Part thereof, or such Instalment, as the Case may be, in his Warrant for raising the Monies presented at the same Assizes, as if such Sum or Instalment had been duly presented by such Grand Jury to be raised off such Barony or Half Barony as aforesaid, and the Sum or Instalment shall be raised and levied off such Barony or Half Barony accordingly, as if the same had been so presented; and in the Case of Sums to be so raised by Instalments such respective Treasurer shall and he is hereby required, in like Manner, and without further Presentment or Authority in that Behalf, to insert a like Instalment or Sum payable for each such Work as so approved and described in such Certificate and Schedule in his Warrant for raising and levying the Sums presented at each succeeding Assizes, until the whole Sum respectively payable for each such Work as so approved shall, with Interest as aforesaid, be so raised and levied off the respective Barony or Half Barony as aforesaid, and the same shall be raised and levied accordingly; and all the Provisions of the said recited Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth, with reference to the raising, Applotment, Collection, Levy, or Recovery of Grand Jury Cess, and the Payment

of the same by the Treasurer, shall, as far as the same are applicable, apply to all such Sums of Money so inserted in such Warrant.

County Treasurer may borrow Money on Security of Presentment.

XII. And be it enacted, That it shall and may be lawful for the Treasurer of any County in which Presentment shall have been made for the Completion of any Work under the Provisions of this Act, and which or any Part of which shall have been so approved by the said Lord Lieutenant or other Chief Governor or Governors, to borrow, upon the Security of the Presentment herein-before mentioned, any Sum not exceeding the Amount that the said Lord Lieutenant shall have approved for the Purpose of completing any such Work as aforesaid, with such Interest thereon as shall be stated in the Presentment for such Work as is herein-before mentioned; and if any Person shall agree with the said Treasurer to lend or advance the Amount of such Presentment, or of any Instalment thereof, for the Purposes of this Act, and shall pay the same into the Bank with which the said Treasurer has his public Account, to the Credit of the said Account, it shall be lawful for the said Treasurer to give to him a Draft upon the said Bank for the Amount of such Presentment or Instalment thereof as he shall so advance, and which Draft shall be countersigned by the Clerk of the Crown of the said County, and shall be made payable to the Payee or his Order, with such Interest as aforesaid, at the Assizes at which the said Presentment or Instalment ought to be paid under the Provisions of this Act; and any Sum or Sums which shall be lent or advanced as aforesaid shall be paid and applied by the said Treasurer in like Manner as the said Presentment or Instalment is directed to be applied under the Provisions of this Act.

Advances may be paid to Contractor in certain Cases not exceeding Three Fourths of the Cost of Work.

XIII. And be it enacted, That in Cases where the Cost of completing and executing any Work as aforesaid shall exceed Twenty Pounds it shall and may be lawful for the Justices or Justice and Cess-payers, at any such Special Presentment Sessions, to authorize the Treasurer of the County, out of any Funds which he may have under his Control, to advance from Time to Time during the Execution of the Work to the Contractor or County Surveyor to whom any such Work shall be given in charge as aforesaid, and presented under this Act, upon his Application, any Sum or Sums not exceeding in the whole Three Fourths of the Costs of such Work: Provided always, that no such Advances shall be made by such Treasurer unless such Application shall be accompanied by a Certificate attached thereto, and signed by the County Surveyor, that more than the Sum applied for by such Contractor in addition to any previous Advances made to him for such Work has been fairly and honestly expended upon the Work conformably to the Contract.

County Surveyor when satisfied of the Completion of the Work may grant

XIV. And be it enacted, That any Person who may have contracted for the Execution of any Work under this Act may, on the Completion of the Work for which he may have contracted, if completed within the Year One thousand eight hundred and forty-eight, give Notice thereof by Post, addressed to the County Surveyor at his Office, who shall, either by himself or by his Assistants, within Fifteen

Fifteen Days from the Receipt of such Notice, examine the Work so represented to be completed, and in case he shall be fully satisfied of the due Execution of such Work, but not otherwise, shall grant his Certificate of Approval thereof to such Contractor, which Certificate shall set forth the Amount to be paid, and the Description and Number of the Contract on account of which Payment is to be made.

his Certificate of Approval to the Contractor.

XV. And be it enacted, That the Treasurer of such County shall thereupon, upon the Production to him of such Certificate, give to the Person entitled to such Payment a Draft for the Amount thereof, which Draft shall contain a Specification of the Purposes for which the same shall have been drawn, and of the Person to whom it is payable, and when so signed it shall be the Authority for the Bankers in whose Bank the County Funds may be deposited to pay the Amount thereof, any thing in an Act of the First and Second Years of Her present Majesty's Reign, intituled *An Act to amend an Act of the last Session of Parliament, for providing more effectual Means to make Treasurers of Counties and Counties of Cities in* Ireland *account for Public Monies, and to secure the same*, to the contrary in anywise notwithstanding, and such Draft shall be as valid to all Intents and Purposes as any Draft for the Payment of any Money given under the said last-mentioned Act; provided that after the Expiration of the Year One thousand eight hundred and forty-eight the Contractors for any such Works shall make Application for and receive Payment subject to the Provisions and Regulations of the Acts relating to the Presentment of Public Monies by Grand Juries in *Ireland*.

On Production of such Certificates to the County Treasurer he shall give a Draft for the Amount thereof.

1 & 2 Vict. c. 53.

XVI. And whereas it may be expedient to complete Public Works in certain Baronies and Half Baronies in *Ireland* which have been commenced under the Provisions of the said first-recited Act, and which still remain unfinished, although the Amount authorized to be applied to the Execution of such Works by the Commissioners of Her Majesty's Treasury under the Provisions of the said Act shall have been expended, or shall not be sufficient to complete such Work; be it therefore enacted, That it shall be lawful for the Secretary of the Grand Jury of any County in *Ireland* in any Barony or Half Barony of which a Special Presentment Sessions shall have been held under the Provisions of this Act, and he is hereby required, by Notice under his Hand, to be posted at the usual Places of posting public Notices, to convene a Special Presentment Sessions for the County, to be holden in the County Court House, for the Purposes of this Act, at such Time as shall be specified in such Notice, not being sooner than Seven Days from the Time of posting such Notice nor later than Six Weeks after the first Special Presentment Sessions shall have been held for any Barony or Half Barony within such County under the Provisions of this Act.

Secretary of Grand Jury in any Barony or Half Barony where Special Presentment Sessions have been held to convene a Special Presentment Sessions for the County for the Purposes of this Act.

XVII. And be it enacted, That it shall and may be lawful for every Justice of the Peace in and for such County, not being a Stipendiary Magistrate, to attend, and all such Justices are hereby required to assemble, and with the Cess-payers associated with them respectively, as herein-after appointed, to hold such Special County Presentment

How such Special Presentment Sessions for the County shall be composed.

Presentment Sessions for the Purposes of this Act, at the said County Court House, at such Time as shall be specified in the said Notice; and at such Sessions the Secretary of the Grand Jury shall attend; and the said Justices and Cess-payers, or so many of them as shall be present at such Sessions, shall constitute a Special County Presentment Sessions for the Purposes of this Act; and the several Provisions contained in the said recited Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth relating to the Selection of a Chairman, and the Powers, Duties, and Authorities of such Chairman and of Justices and Cess-payers respectively at County Presentment Sessions, and relating to adjourned Sessions for opening Tenders and the making of Contracts thereat, and relating to the Declarations to be made by the Justices and Cess-payers respectively who shall act at any County Presentment Sessions, and also relating to the Powers, Duties, and Authorities of the Secretaries of Grand Juries, County Surveyors, Clerks of the Crown, Clerks of the Peace, and all other Officers respectively, shall, as amended by an Act passed in the Seventh Year of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the Seventh Year of the Reign of His present Majesty, for consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, as far as the same are applicable, or may be necessary for carrying out the Provisions of this Act, and not inconsistent with such Provisions, extend to all Proceedings respectively to be had at the Special County Presentment Sessions to be held under the Provisions of this Act, in as full and ample a Manner as if the same were herein repeated and enacted, unless where other Provisions are hereby substituted; provided that in any Declaration to be made by any such Justice or Cess-payer the Title of this Act shall be inserted together with the Title of the said Act of the Sixth and Seventh Years of the Reign of King *William* the Fourth.

7 W. 4. & 1 Vict. c. 2.

One Cess-payer for every Barony or Half Barony to be associated with the Justices of the County at Special Presentment County Sessions.

Proceedings at Special County Presentment Sessions.

XVIII. And be it enacted, That the Justices and Cess-payers associated at each Special Presentment Sessions held for any Barony or Half Barony under the Provisions of this Act shall select One of the said Cess-payers for every Barony or Half Barony for which such Sessions are appointed to be associated with the Justices of the County as a Member of the said Special County Presentment Sessions, and the Secretary of the Grand Jury shall make out a List of the Persons so chosen at such Special Presentment Sessions held for such Barony or Half Barony, and shall forthwith notify the same, and the Day appointed for such Special County Presentment Sessions, to them, and shall read out the same List previous to the Appointment of the Chairman for the said Special County Presentment Sessions; and the Secretary of the Grand Jury shall place before such Sessions the Report or Reports made by the County Surveyor to the Special Presentment Sessions held for any Barony or Half Barony, or Baronies or Half Baronies, within the County, as the same shall have been endorsed by the Chairman thereof respectively, under the Provisions of this Act; and the Justices and Cess-payers associated in the Business of the said Special County Presentment Sessions shall take such Reports into consideration, as far as the same shall relate to Works in respect of which no Residue or Balance shall remain unexpended of the Amount

 authorized

authorized by the Commissioners of Her Majesty's Treasury to be applied to the Execution of the same, under the Provisions of the said first-recited Act, or in respect of which such Residue or Balance shall not be sufficient to complete such Works, and shall decide, by a Majority of Voices, on the Merits of each of such last-mentioned Works, and whether the same ought or ought not to be completed, and whether wholly or in part, or conditionally in the event of the Expence thereof not exceeding a certain specified Sum, and what Modification thereof, if any, may be proper, and in case of their Approval of the Completion of any of such last-mentioned Works, either wholly or in part, or conditionally, or of any Modification thereof, shall give Directions respecting the Preparations of Forms of Tender for the same; and all and every the Powers, Authorities, or Provisions given or contained in this Act in relation to Works approved of wholly or in part at Special Presentment Sessions held for any Barony or Half Barony, and the Execution of the same, and the Approval of the same by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and in relation to presenting Monies or raising or levying Monies presented for the Execution of such Works, and borrowing Money on the Security of such Presentment, and making Advances to Contractors in respect of the same, and otherwise relating to such Monies or such Works, shall extend and be applied, as far as the same are applicable, in relation to all Works approved of wholly or in part at any such Special County Presentment Sessions held under the Provisions of this Act.

Five per Cent. Interest to be allowed on all Sums advanced by Treasurer or Bank under the Provisions of this Act. 7 W. 4. & 1 Vict. c. 54.

XIX. And whereas under an Act passed in the Session held in the First Year of Her present Majesty, intituled *An Act to provide more effectual Means to make Treasurers of Counties and Counties of Cities in* Ireland *account for Public Monies, and to secure the same*, it was enacted, that every Treasurer then in Office, and no other, shall have and receive the Interest due on Exchequer Bills purchased from any Balance standing to the Credit of such Treasurer's Account, so that such Interest does not exceed One Half of the Salary appertaining to his Office: And whereas it is just that such Treasurer, and that the Bank which the Grand Jury of any County shall have appointed for receiving the Public Monies of such County, should be allowed Interest on Sums paid or advanced by such Treasurer or Bank under this Act; be it therefore enacted, That the Officer whom the Lord Lieutenant or other Chief Governor or Governors in *Ireland* has or have authorized or may hereafter authorize to audit and declare the Accounts of the Treasurers of Counties in *Ireland* under the last-mentioned Act may and he is hereby required, on being applied to by or on behalf of any Treasurer entitled to receive Interest under said Act, or of any Bank having made any Advance above the Balance at the Credit of such County, to ascertain the Amount of Interest at the Rate of Five Pounds *per Centum per Annum* which would be due to such Treasurer or Bank on the Amount so from Time to Time advanced under the Provisions of this Act, and remaining unpaid, from the Time or Times at which such Money shall have been paid by the Treasurer of such County or such Bank until the same shall have been discharged, or until the first Day of the Assizes next succeeding such

Application, and to certify the same to the Secretary of the Grand Jury, and it shall be lawful for any Grand Jury and they are hereby required to present to the said Treasurer or Bank such Interest so certified to be due, which Interest shall be paid to such Treasurer or Bank out of any Balance in hand, and shall be raised and levied off the Barony or Half Barony liable to pay such Sums.

Definition of "County."

XX. And be it enacted, That the Word "County" shall include County of a City or County of a Town; and that all the Provisions of this Act may extend and be applied to any County of a City or County of a Town in *Ireland*.

Definition of Terms.

XXI. And be it enacted, That the Word "Treasurer" shall, as to the County of *Dublin*, mean and include the "Finance Committee," and the Word "Assizes" shall, as to the said County of *Dublin*, mean and include the "Presenting Term," and the Word "County Surveyor" shall, as to the said County of *Dublin*, mean and include the "District Surveyor;" and that the Provisions of an Act passed in the Seventh and Eighth Years of Her Majesty's Reign, intituled *An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments*, in the said County, and any Act for amending the same, shall, with reference to the raising, applotting, levying, or recovering of Grand Jury Cess, and to the Powers for the Execution of Works, so far as the same are applicable, apply, as to the said County of *Dublin*, to Sums of Money to be presented and raised and the Works to be executed under this Act.

7 & 8 Vict. c. 106.

Act may be amended, &c.

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

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