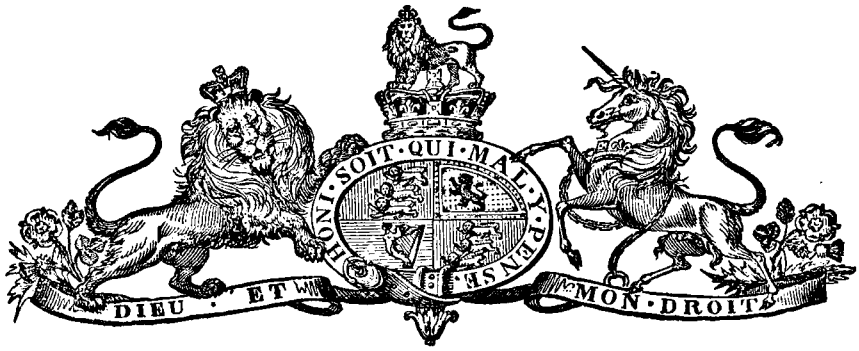


ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

CAP. LI.

An Act to provide additional Funds for Loans for Drainage and other Works of public Utility in *Ireland*. [14th *August* 1848.]

WHEREAS an Act was passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her Majesty, intituled *An Act to authorize the Application of Money for the Purposes of Loans for carrying on Public Works in* Ireland: And whereas another Act was passed in the same Session of Parliament, intituled *An Act to provide additional Funds for Loans and Grants for Public Works in* Ireland: And whereas an Act was passed in the last Session of Parliament, intituled *An Act to provide additional Funds for Drainage and other Works of public Utility in* Ireland, *and to repeal an Act of the last Session for authorizing a further Issue of Money in aid of Public Works of acknowledged Utility*: And whereas under the Authority of an Act of the First Year of the Reign of Her Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in* Ireland, and of an Act passed in the said Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her Majesty, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in* Ireland, and also of another Act passed in

9 & 10 Vict. c. 85.

9 & 10 Vict. c. 108.

10 & 11 Vict. c. 106.

7 W. 4. & 1 Vict. c. 21.

9 & 10 Vict. c. 1.

9 & 10 Vict. c. 107. in the same Session of Parliament, intituled *An Act to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in* Ireland, and of an Act of the last Session of Parliament, 10 & 11 Vict. c. 10. intituled *An Act to render valid certain Proceedings for the Relief of Distress in* Ireland *by Employment of the labouring Poor, and to indemnify those who have acted in such Proceedings*, sundry Advances were made by the Commissioners of Public Works in *Ireland* for the Purpose of affording Relief to destitute Persons in *Ireland* by means of Employment on Public Works: And whereas, under the Conditions on which these Advances were made, and under the Provisions of an 10 & 11 Vict. c. 87. Act of the last Session of Parliament, intituled *An Act to facilitate the Recovery of Public Monies advanced for the Relief of Distress in* Ireland *by the Employment of the labouring Poor*, One Moiety of the Advances made under the Authority of the Two last-recited Acts, with Interest thereon, was made re-payable by half-yearly Instalments by way of Annuity: And whereas by various Presentments made at the Spring and Summer Assizes One thousand eight hundred and forty-seven, and at the Spring or Summer Assizes One thousand eight hundred and forty-eight, in different Counties in *Ireland*, several Sums are made payable into the Exchequer by those Counties in respect of the Advances herein-before mentioned, or some of them: And whereas certain of the Works commenced under the Two lastly above-recited Acts of the Ninth and Tenth Years of Her Majesty are unfinished: And whereas it is expedient to provide further Means of completing the same, and also of carrying on Works of River Drainage under the Provisions of the Act passed in the Session of Parliament 9 & 10 Vict. c. 4 holden in the Ninth and Tenth Years of Her Majesty, intituled *An Act to amend the Acts for promoting the Drainage of Lands, and Improvement of Navigation and Water Power in connexion with such Drainage, in* Ireland, *and to afford Facilities for increased Employment for the labouring Classes in Works of Drainage during the present Year*, and the other Acts recited therein, and also of carrying on other Works of public Utility in *Ireland*: 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, That it shall be lawful for

Treasury may cause to be issued a further Sum not exceeding 945,000*l.* to the Commissioners of Public Works in Ireland.

the Commissioners of Her Majesty's Treasury, or any Three or more of them, to cause to be issued from Time to Time as they may find necessary during the Term of Three Years next ensuing the Fifth Day of *April* One thousand eight hundred and forty-eight, out of the growing Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, any Sum or Sums of Money not exceeding in the whole the Sum of Nine hundred and forty-five thousand Pounds, such Sum or Sums to be placed to the Credit of the Commissioners for the Reduction of the National Debt to the Account opened with them at the Bank of *England*, under the Title of "The Commissioners for the Reduction of the National Debt on account of the Public Works Loan Fund for *Ireland*," which Account shall be continued for the Purposes of this Act: Provided always, that the

Sums issued not to exceed the Sum actually paid into the Exchequer

total Sum issued from the Consolidated Fund under the Provisions of this Act shall not at any Time exceed the Sum which shall have been actually paid into the Exchequer under the Provisions of the

said Act of the First Year of Her Majesty, the said Act of the Ninth and Tenth Years of Her Majesty "for the further Amendment of the Acts for the Extension and Promotion of Public Works in *Ireland*," the said Act of the same Years "to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in *Ireland*," and the said Act of the last Session of Parliament "to facilitate the Recovery of Public Monies advanced for the Relief of Distress in *Ireland* by the Employment of the labouring Poor." under Provisions of 9 & 10 Vict. cc. 1. 107. and 10 & 11 Vict. c. 87.

II. And be it enacted, That all the Monies which shall be placed to the Credit of the Commissioners for the Reduction of the National Debt as aforesaid shall be held by the same Commissioners, subject to the Disposal of the Commissioners of Public Works in *Ireland*, for the Purposes of any Loans which the Commissioners of Public Works in *Ireland* may, with the Sanction of the Commissioners of Her Majesty's Treasury, think fit to make for the Completion of Public Works commenced under the said Act of the Ninth and Tenth Years of Her Majesty "for the further Amendment of the Acts for the Extension and Promotion of Public Works in *Ireland*," and the said Act of the same Years "to facilitate the Employment of the labouring Poor for a limited Period in the distressed Districts in *Ireland*," and for the Extension and Promotion of Drainage, and for any other Works of public Utility in *Ireland* in respect of which, under the Provisions of any of the Acts herein-before mentioned, or any other Acts now in force, Loans are authorized to be made by the said Commissioners of Public Works in *Ireland* out of the Funds heretofore provided by Parliament for that Purpose, and for the Purposes of any other Loans which the said Commissioners of Public Works in *Ireland* may, by any Act or Acts hereafter to be passed, be authorized to make for the Execution of Works of public Utility in *Ireland*. Sums issued to be applied for Loans for Completion of Public Works commenced under 9 & 10 Vict. cc. 1. 107., and for Promotion of Drainage and other Works of public Utility.

III. And be it enacted, That all the Powers, Authorities, Provisions, Matters, and Things, of what Nature or Kind soever, contained or referred to in the firstly herein-recited Act of the last Session of Parliament, and the Acts recited therein, and in any Act authorizing Loans to be made for the Extension and Promotion of Drainage and other Works of Utility in *Ireland*, shall extend to this Act, and to the Loans hereby authorized to be made. Powers, &c. of 10 & 11 Vict. c. 106. to extend to this Act.

IV. And whereas by the said Act of the Tenth and Eleventh Years of Her Majesty "to facilitate the Recovery of Public Monies advanced for the Relief of Distress in *Ireland* by the Employment of the labouring Poor" it is provided, that the Sums chargeable under the said Act on the several Baronies, Half Baronies, Electoral Divisions, Parts of Electoral Divisions, Districts, Counties of Cities, and Counties of Towns in *Ireland*, with Interest thereon up to the First Day of *March* One thousand eight hundred and forty-eight, shall be ascertained by the Commissioners of Public Works in *Ireland*, and for every Sum of One hundred Pounds of each such compound Sum there shall be paid an Annuity of Twelve Pounds, and so on in proportion for any lesser Sum during the Period of Ten Years; and such Annuity shall be charged upon the Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City, or County of a Town in Power to Treasury to postpone Commencement of Payment of Annuities under 10 & 11 Vict. c. 87.

in respect of which the said Commissioners shall certify the same to be due; and such Annuity shall be payable by Two Instalments in each Year, One such Instalment at each successive Assizes, or in the Case of the County of *Dublin* at the successive Periods limited for the Payment of the respective Moieties of Grand Jury Cess for such County, until Twenty Instalments shall have been paid, the first of the same being payable at the Summer Assizes, and in the Case of the County of *Dublin* at the Period limited for the Payment of the First Moiety of Grand Jury Cess after the Presenting Term of the Year One thousand eight hundred and forty-eight, and provided that the whole of such compound Sum may be paid off in One Payment in any Case where the Grand Jury shall think fit to make a Presentment for that Purpose; and it is further provided, that the said Commissioners shall issue Certificates to the Secretaries of the several Grand Juries of the total Sum so to be repaid, and of the Annuity by which the Repayments are to be made, and that each such Secretary shall lay such Certificate before the Grand Jury of the County, County of a City or County of a Town, to which the same shall relate, at the Spring Assizes, and in the Case of the County of *Dublin*, at the Presenting Term of One thousand eight hundred and forty-eight; and it shall be lawful for each such Grand Jury, and they are respectively required, without any Application to Presentment Sessions, to present the total compound Sum of Principal and Interest specified in such Certificate to be payable by an Annuity as aforesaid, and to be raised and levied in the Manner therein stated: And whereas the said Commissioners of Public Works in *Ireland* have, previous to or at the Spring or Summer Assizes, and in the Case of the County of *Dublin* to the Presenting Term of One thousand eight hundred and forty-eight, certified to the Secretaries of the Grand Juries of the several Counties, Counties of Cities and Counties of Towns, in *Ireland*, the total compound Sum to be paid in each Barony, Half Barony, Electoral Division, Part of Electoral Division, District, County of a City and County of a Town respectively under the said recited Act, and the Instalment of Annuity which is to be paid for that Purpose at the next and every succeeding Assizes until Twenty such Instalments are paid: And whereas it may be expedient to postpone the Commencement of the Payment of the said Annuity, and by reason of the unequal Proportions of the annual Payments which will become chargeable on the several Counties and Divisions of Counties it may be expedient that the Repayments should be made in some Cases by Annuities of longer Duration, and in others of shorter Duration, than Ten Years; be it therefore enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall so think fit, to authorize and direct the Treasurer of any County, or County of a City or County of a Town, in *Ireland*, in which the Sum or Sums certified by the said Commissioners of Public Works under the said last-recited Act as payable by an Annuity or Annuities of Ten Years in the Manner therein prescribed shall have been previously presented, or in the Case of the County of *Dublin* the Finance Committee of the same County, to postpone the Payment of the first Instalment of each such Annuity until the Spring Assizes of One thousand eight hundred and forty-nine, and in the Case of the County of *Dublin* until the Presenting Term in the Year One thousand eight hundred and forty-nine, and thereupon

thereupon all the Provisions of the said last-recited Act in relation to the Annuity or Annuities in such respective County, County of a City or County of a Town, shall be construed and take effect as if the first Instalment thereof respectively had been thereby made payable at such Spring Assizes and Presenting Term respectively.

Power to Treasury to convert Annuities into others of longer or shorter Duration of equal Value.

V. And be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall so think fit, upon Application being made to them by the Grand Jury of any County, or County of a City or County of a Town, in *Ireland*, or by the Justices assembled at a Special Sessions to be summoned as herein-after directed, in which the Sum or Sums so certified by the said Commissioners of Public Works shall have been previously presented as aforesaid, to authorize the Conversion of the Annuity charged on such County, County of a City or County of a Town, or the Portion of such Annuity chargeable on any Barony, Half Barony, Electoral Division, or District, under the Certificate and Presentment in this Behalf, or of the Instalments thereof which at the Time of such Conversion shall remain payable, into an Annuity of a shorter or longer Duration in no Case exceeding Twenty Years, provided the Value at the Time of the Conversion of such Annuity of longer or shorter Duration as aforesaid shall be equal to the Value at the same Time of the Annuity or Portion of Annuity charged or chargeable as aforesaid, or such Instalments thereof as aforesaid or Portion thereof, such respective Values to be calculated on the Basis on which such an Annuity of Twelve Pounds for Ten Years as aforesaid was taken as equal to a Sum of One hundred Pounds; and all the Powers, Authorities, or Provisions contained in the last-recited Act which relate to the Presentment, raising, levying, and paying of the Annuities to be presented by the Grand Juries under that Act shall extend to the Annuities sanctioned by the Commissioners of Her Majesty's Treasury under this Act: Provided always, that with respect to the Limitation of the total Sum to be issued from the Consolidated Fund under the Provisions of this Act, all postponed Payments, and Payments of substituted Annuities under the Postponement and Conversions hereby authorized, shall be deemed Payments under the Provisions of the last-recited Act.

If Grand Jury shall not make Application at Summer Assizes for Conversion of Annuities, Clerk of the Peace may call Special Sessions, at which Justices may make Application.

VI. And be it enacted, That in case such Application as aforesaid shall not have been made by the Grand Jury of any County, County of a City or County of a Town, in *Ireland*, at the Summer Assizes of this present Year, and it may be expedient that such Application should be made previous to any Levy, it shall be lawful for the Clerk of the Peace of any such County, County of a City or County of a Town, and he is hereby required within Two Days after the Receipt of a written Requisition of the Treasurer of such County for that Purpose, to call a Special Sessions of the Peace to be held on or previous to the First Day of *October* of this present Year, to be held at the County or Assize Town (giving Six Days Notice thereof to the Justices of such County), and it shall be lawful for the Justices then and there assembled to make such Application as aforesaid.

Provision where Occupation of Premises may be changed.

VII. And whereas by the said recited Act of the last Session of Parliament, intituled *An Act to facilitate the Recovery of Public Monies advanced for the Relief of Distress in* Ireland *by the Employment of the labouring Poor*, it is amongst other things enacted, that any such Sum of Money to be from Time to Time raised and levied off any Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City or County of a Town, as in the said Act provided, shall be charged upon, and applotted, raised, and levied upon and from, the Occupiers of and other Persons rateable in respect of Lands and Hereditaments within such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City or County of a Town respectively, and rated under the then last preceding Rate or Rates made, or from Time to Time made, in respect of the same under the Provisions of an Act passed in the First and Second Years of the Reign of Her present Majesty, for the more effectual Relief of the destitute Poor in *Ireland*, and the several Acts amending the same, and shall be payable by the respective Rate-payers who under the said last preceding Rate or Rates shall have paid or contributed or been liable to pay or contribute Rate in respect of Property in such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, County of a City or County of a Town, according to the several Valuations and Proportions according to which respectively such last preceding Rate or Rates shall have been so made, charged upon, and payable by the Rate-payers in respect of such Land or Hereditaments respectively; and any such Sum of Money shall be applotted, assessed, and levied by the respective High Constable or Collector of Grand Jury Cess for or in such Barony, Half Barony, or Place as aforesaid as a Poundage Assessment equally upon the net annual Value of the several Lands and Hereditaments within such Barony, Half Barony, Electoral Division, Part of an Electoral Division, District, or County of a City or County of a Town, respectively, rated as aforesaid, as such net annual Value shall have been stated in such last preceding Rate or Valuation as aforesaid: And whereas the Occupiers of such respective Premises rated as aforesaid may from Time to Time be changed; be it therefore enacted, That where any Rate-payer or Rate-payers shall have ceased to occupy the rateable Property after the making of such last preceding Rate as aforesaid, all and every Sum and Sums of Money to be so raised and levied under the said Provision of the said recited Act, and all and every Sum and Sums of Money which shall be raised and levied under or in consequence of the Postponement of Payment and Conversions of Annuities hereby authorized, or any of them, shall be paid by the Person or Persons in the actual Occupation of the Lands and Hereditaments on which such Sum or Sums respectively shall be assessed at the Time of the Assessment thereof, and in the Default of any such Person or Persons, from the Person or Persons in the actual Occupation of the same Lands or Hereditaments from whom such Sum or Sums shall be demanded, subject to such Provisions as to Deduction from Rent as in the said Act of the First and Second Years of the Reign of Her present Majesty contained, so far as the same shall be applicable.

VIII. And

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

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1848.