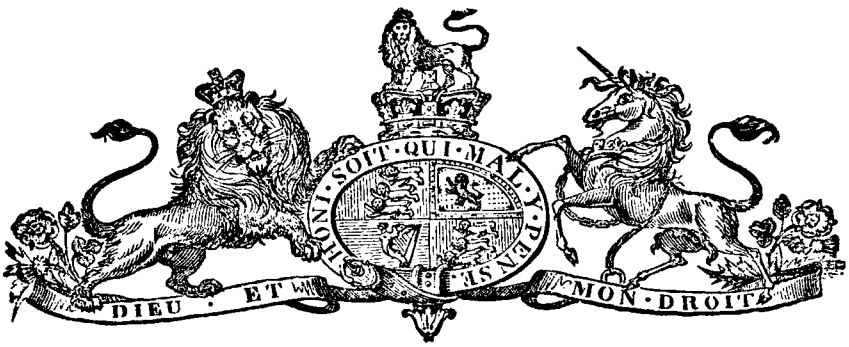


ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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CAP. XXXVI.

An Act to make Provision, during the present Year, and to the End of the Year One thousand eight hundred and fifty-one, relating to the Collection of County Cess in *Ireland*, and to the Remuneration of the Collectors thereof.

[13th *July* 1849.]

WHEREAS by an Act of 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, it is amongst other things provided, that no Person shall act as High Constable or Collector of County Cess, as therein mentioned, unless he shall have given Security, by Two sufficient Sureties joining with him in executing a Bond and Warrant of Attorney, without Stamp, to confess Judgment to the Treasurer of the County, conditioned for his duly collecting and paying to such Treasurer, on or before the First Day of the next Assizes, all such public Money as he is or shall be required to collect: And whereas, on account of the Distress now prevailing in certain Counties or Baronies more heavily than in others, it is expedient in certain Cases 6 & 7 W. 4. c. 116.

to alter and modify the Condition of any such Bond and Warrant of Attorney to be given as such Security as aforesaid: 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 the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by any Order to be published in the *Dublin Gazette*, from Time to Time to order and declare that in and for any County or Barony in such Order specified the Provision herein-after contained relating to the Security to be given by any High Constable or Collector of Grand Jury Cess for the due Collection of the same shall be in force during the then current Year; and a Copy of such Order shall be transmitted to the Secretary of the Grand Jury of such respective County; and from the making of such Order thenceforth as to any such County or Barony it shall be and be deemed valid and sufficient, for the Purposes of the said recited Act, that any such Bond and Warrant of Attorney to confess Judgment to the Treasurer in the said Act directed to be given, and so given and entered into during the then current Year in which such Order shall have been made, shall be conditioned for any such High Constable or Collector duly collecting and paying to the County Treasurer all such public Money so required by him to be collected as he shall receive, or as he without Neglect or wilful Default might have received; and any such last-mentioned Bond and Warrant, without any Stamp, shall be as valid and effectual for the Purposes of the said Act, or any Act amending the same, and shall be deemed to be within the Meaning and subject to the Provisions of the said recited Act, or any Act amending the same, as fully and effectually as any such Bond and Warrant as is by the said recited Act prescribed.

Power to Lord Lieutenant, by Order to be published in Dublin Gazette, to continue Security given by Collectors of Grand Jury Cess for the then current Year.

II. And be it enacted, That in every County in which or in any Barony of which the Provision of this Act last aforesaid shall be in force in manner aforesaid, it shall be lawful for the Secretary of the Grand Jury of such County and he is hereby required, by Notice under his Hand to be posted at the usual Places for posting public Notices in each Barony next herein-after mentioned, to convene a Special Sessions for the Examination of the Collector's Accounts, to be holden in each Barony in which such last-mentioned Provision shall be so in force at the usual Place for holding Presentment Sessions, on a certain Day not more than Ten Days previously to the First Day of the assembling of the Grand Jury at each Assizes, at which said Special Sessions respectively the several Justices of the County shall be entitled to attend and take a Part in the Proceedings, and also such Cess-payers as were associated with the Justices at the Presentment

A Special Sessions to be held to examine Collector's Accounts, and to certify the Amount he might without Neglect or wilful Default have received.

sentment Sessions held for such respective Barony after the then last Assizes; and at such Special Sessions in each such Barony, the High Constable or Collector of the same is hereby required to attend and produce his Accounts, Books, and Vouchers relating to the Collection of Grand Jury Cess in such Barony before such Justices and Cess-payers, who shall examine the same; and after due Examination of the same, and after Examination of such High Constable or Collector or other Person or Persons upon Oath relating to the same, which Oath any such Justice shall be empowered to administer, such Justices and Cess-payers shall determine and ascertain the Amount of the Sums which such High Constable or Collector shall have received or without Neglect or wilful Default might have received and collected of the Amount of the Grand Jury Cess required to be collected by him since the then last Assizes, and shall cause the Chairman of such Special Sessions to certify under his Hand the Amount thereof which without Neglect or wilful Default might have been so collected, and also the Amount actually collected, together with a List of the Persons and Lands from whom or which such Cess has not been collected, and also a List of the Persons and Lands, if any, from whom or which the same might have been so collected and has not been collected; and such Certificate and Lists shall by the Secretary of the Grand Jury be laid before the Grand Jury at the then next Assizes, who shall take the same into their Consideration; and if they shall pass a Resolution approving of such Certificate, or approving thereof subject to any Modification, and if such High Constable or Collector shall duly pay or shall have paid over to the respective Treasurer of the County the whole Amount which it shall appear by such Certificate, so approved or modified, might without Neglect or wilful Default have been collected, such High Constable or Collector in such Case shall receive and be paid his Poundage as in the said first-recited Act, or any Act amending the same, and this Act, provided, upon the Amount so collected and paid over to the Treasurer.

Certificate and Lists to be laid before Grand Jury, and if approved and Money paid over, Collector to be entitled to Poundage.

III. Provided always, and be it enacted, That as regards any such County or Barony specified in such Order as aforesaid, where a Collector has not yet been appointed for any Barony to collect the County Cess payable before the Summer Assizes of this Year, in such Case, at any Time previous to the Summer Assizes of this Year, the Appointment of any such High Constable or Collector may be made for such Barony by the Treasurer of such respective County, and such Security as aforesaid may be given before such Treasurer, and such Appointment and Security so made and given shall be as valid and effectual to all Intents and Purposes, and subject to like Provisions and Powers, as if such High Constable or Collector had been

Provision for appointing a Collector in any County or Barony specified in the Order before the Summer Assizes of this Year.

been duly appointed by the Grand Jury or any Quarter Sessions or Special Sessions, and such Security had been duly given in the Manner in the said recited Act or any Act amending the same directed: Provided always, that in such last-mentioned Case the Examination of the Accounts, Books, and Vouchers of the High Constable or Collector, instead of being held and had before a Special Session as herein-before provided, shall be held and had before any Three Members of the Grand Jury of such County at the said Summer Assizes, in like Manner and with like Powers, who may grant a like Certificate, which shall be laid before the said Grand Jury and shall be dealt with in like Manner and deemed and taken as if the same had been made and given at a Special Session as herein-before mentioned.

Collector shall pay his Collection monthly to the County Bank, or as soon as he has received 100*l.*

IV. And be it enacted, That any such High Constable or Collector shall, on or before the First Day of every Month, or so often as he shall have received One hundred Pounds, pay into the County Bank, to the Credit of the Treasurer of the County, the Sums he may have received up to such Period, and shall furnish to the Treasurer of the County an Account of the Sums so received and paid in.

Powers of this Act may be exercised to the End of the Year 1851.

V. And be it enacted, That the Proceedings, Powers, and Authorities and Provisions by this Act authorized and provided may (save when hereby otherwise declared) be had, taken, and exercised during the present Year, and to the End of the Year One thousand eight hundred and fifty-one.

Interpretation of Terms.

VI. And be it enacted, That in the Construction of this Act, unless the Subject or Context require another Construction, the Word "County" shall extend to a County of a City or County of a Town, and the Word "Barony" shall extend to any District for which any such Collector may be or may have been appointed under the Powers by Law given in that Behalf.

Act may be amended, &c.

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

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1849.