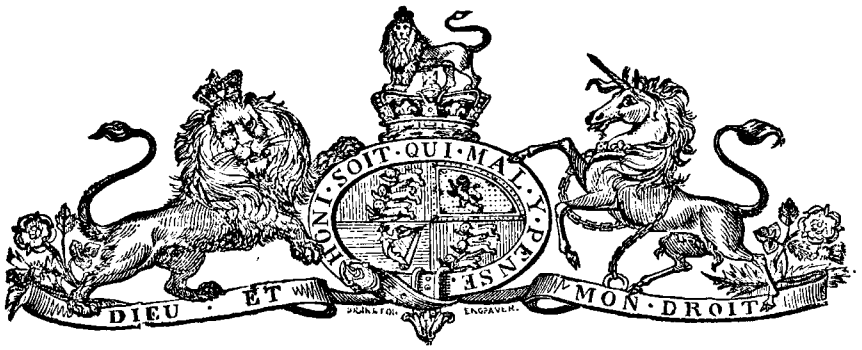


ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

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Acts, and empowering the said Commissioners to make Advances to an additional Amount in such Act limited, either by way of Grant, or, under certain Circumstances and for certain Purposes, partly by way of Loan and partly by way of Grant; that is to say, by Loan to the Extent of one Moiety of such Advances, and by Grant to the Extent of the other Moiety: And whereas an Act was passed in the last Session of Parliament, intituled *An Act to authorize a further Issue of Exchequer Bills for Public Works and Fisheries and Employment of the Poor, and to amend the Acts relating thereto*, whereby it was among other things provided, that it should be lawful for the Commissioners of Her Majesty's Treasury to appropriate, out of the Sum of Five hundred thousand Pounds in Exchequer Bills authorized to be advanced under the Authority of the said last-mentioned Act, any Sum or Sums, not exceeding in the whole Fifty thousand Pounds, for the Promotion and Extension of Public Works in *Ireland*, to be applied by the Commissioners appointed under the Authority of the said first-recited Act passed in the First and Second Years of His late Majesty's Reign to the Purposes and under the Provisions of the said first-recited Act: And whereas it is expedient that the said Sum or Sums so authorized by the said last-mentioned Act to be appropriated for the Promotion and Extension of Public Works in *Ireland* should be made applicable to the Purposes of the said recited Acts of the Sixth and Seventh Years of His late Majesty's Reign and of the First Year of Her present Majesty's Reign, and of this Act, as well as to the Purposes of the said Act of the First and Second Years of His late Majesty's Reign:

1 & 2 Vict. c. 88.

The Sum of 50,000*l.* granted by 7 W 4. & 1 Vict. c. 21. made applicable to all the Purposes of the Acts for Promotion and Extension of Public Works.

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 in case any such Appropriation shall be made or have been made, it shall be lawful to apply the Exchequer Bills so appropriated to the Purposes of all or any of the said recited Acts or this Act, and to make Advances thereout accordingly either by way of Loan or by way of Grant, or partly by way of Loan and partly by way of Grant, pursuant to the Provisions of the said recited Acts and this Act respectively, any thing in the said Act of the last Session of Parliament to the contrary notwithstanding.

Provisions of recited Acts extended to any Money issued under this Act.

II. And be it enacted, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said recited Acts for the Extension and Promotion of Public Works in *Ireland* in respect of the Advances to be made thereunder either by way of Loan or Grant, or by way of Grant and Loan, and in respect of the Exchequer Bills or Money to be advanced or issued for any of such Purposes, shall, so far as the same are applicable, be applied and extend to the Advances to be made under this Act, and to the Exchequer Bills to be applied as herein-before directed to the aforesaid Purposes, or any of them, as fully and effectually, to all Intents and Purposes, as if the same were herein repeated and re-enacted, and made specially applicable thereto.

Verbal Omission in 4 & 5 W. 4. c. 61. §. 8. supplied.

III. And whereas an Act was passed in the Session of Parliament holden in the Fourth and Fifth Years of His late Majesty's Reign,

intituled *An Act for the more effectually providing for the Erection of certain Bridges in* Ireland: And whereas the said Act contains an Enactment in the Words following: "And be it enacted, That the building, rebuilding, repairing, widening, enlarging, or improving of any Bridge under the Provisions of this Act, or of any of the Approaches thereto, and the Execution of all Works relating to the same, shall be carried on, conducted, and managed by and under the Control and Direction of the Commissioners for the Time being; and that all the Provisions of the said last-mentioned Act shall and may be applied and extended to the several Works hereby authorized to be executed, so far as the same may be necessary, and may not be repugnant to or inconsistent with this Act:" And whereas the Words "appointed under and acting in execution of an Act made in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland," which were intended to be inserted between the Word "being" and the Words "and that" in the said recited Enactment, were inadvertently omitted, so as to make it doubtful what Commissioners were meant by the said Enactment; be it therefore enacted and declared, That the said recited Enactment shall be deemed, construed, and taken to have such and the same Effect, to all Intents and Purposes, as if the said Words "appointed under and acting in execution of an Act made in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland," had been originally inserted therein between the Word "being" and the Words "and that."

1 & 2 W. 4. c. 33.

1 & 2 W. 4 c. 33.

IV. And whereas it is enacted by the said last-recited Act, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, if he or they shall so think fit, to appoint any Person or Persons not exceeding Five to inquire into and report upon the Circumstances stated in any Memorial which may be presented to him or them by any Grand Jury under the Provisions of the said Act, and divers Powers and Duties are conferred upon and directed to be performed by the Person or Persons so appointed: And whereas it is expedient that Power should be given to the said Lord Lieutenant or other Chief Governor or Governors, at his or their Discretion, to delegate such Powers and Duties to the said Commissioners of Public Works; be it therefore enacted, That it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to direct the said Commissioners of Public Works to inquire into and report upon the Circumstances of any such Memorial as aforesaid, and to do all other Matters and Things by the said Act directed to be done by any Persons appointed for such Purposes under the Provisions thereof; and that in case the said Lord Lieutenant or other Chief Governor or Governors shall so direct, the said Commissioners of Public Works shall have all and every the like Powers and Authorities as any other Person or Persons so appointed might or would have had under the Provisions of the said Act; and that in case of such Direction, all and every the Matters and Things directed to be done by or to or in respect of the Person or Persons appointed

Lord Lieutenant may appoint the Commissioners of Public Works to act under 4 & 5 W. 4. c. 61.

appointed for the Purposes aforesaid shall be done by or to or in respect of the said Commissioners, and that all the Provisions of the said Act applying to any Person or Persons so appointed shall in the Case aforesaid apply and extend to the said Commissioners as if they had been named in the said Act in conjunction with or instead of the Person or Persons so to be appointed.

What to be deemed Expences under the said Act.

V. And be it enacted, That all Provisions in the said last-recited Act contained in respect of the Expences which may become necessary by the Appointment of any Person or Persons for the Purposes aforesaid, shall apply and extend to all Expences which may become necessary by the Appointment of the said Commissioners for the like Purpose, and that all Expences attendant upon the Examination, Survey, and Report to be made by such Person or Persons, or by the said Commissioners, as the Case may be, shall be deemed and taken to be Expences become necessary by his or their Appointment.

Provisions of recited Act referring to 3 & 4 W. 4. c. 78. extended to 6 & 7 W. 4. c. 116.

VI. And be it enacted, That wheresoever in the said last-recited Act Reference is made to an Act passed in the Third and Fourth Years of His late Majesty's Reign, intituled *An Act to amend the Laws relating to Grand Juries in* Ireland, the Provision shall refer and extend to an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of His late Majesty's Reign, intituled *An Act to consolidate and amend the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, and to any Act amending the same.

Repeal of so much of 4 & 5 W. 4. c. 61. §. 9. as empowers Lord Lieutenant to order Advance of Money in certain Cases to Commissioners.

1 & 2 W. 4. c. 33.

VII. And whereas the said recited Act contains an Enactment in the following Words: "And be it enacted, That it shall be lawful for any Grand Jury hereby required to present any Sum of Money for the Purposes of this Act to direct that the Amount of such Presentment shall be levied by any Number of equal half-yearly Instalments not exceeding Twelve; and upon such Presentment being made it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors, if he or they shall so think fit, to order that the Whole, or such Part as they or he shall deem proper, of the Money so presented, or the Residue thereof, in case of any Grant being made as aforesaid, shall be advanced out of the Sum of Five hundred thousand Pounds which by an Act of the First and Second Year of His present Majesty, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, may be advanced to the said Commissioners of Public Works for the more speedy Execution of the Work to which such Presentment shall relate; which Sum so advanced shall be repaid, in the Proportion prescribed by any such Order as aforesaid of the said Lord Lieutenant or other Chief Governor or Governors, by the Treasurers of the respective Counties, to the Collector of the Excise for their respective Districts by Instalments pursuant to the Presentments, and be by such Collectors accounted for as any other Public Money which may come to their Hands:" And whereas it is expedient to amend the said recited Enactment; be it therefore enacted, That so much of the recited Enactment as empowers the said Lord Lieutenant or other Chief Governor or Governors to order that any Money shall be advanced to the said Commissioners of

of Public Works in the Case and in the Manner therein mentioned shall be and the same is hereby repealed.

Upon Presentments being made, Commissioners, with Consent of Treasury, to advance the Money required.

VIII. And be it enacted, That upon such Presentments being made as in the said Act mentioned it shall be lawful for the said Commissioners of Public Works, by and with the Sanction and Consent of the Commissioners of Her Majesty's Treasury, or any Three or more of them, to advance, and apply to the Execution of the Works to which such Presentment shall relate, all such Sums of Money as shall be from Time to Time required for that Purpose; and all such Sums of Money, (or the Residue thereof in case of any Grant being made in aid of such Work as in the said Act mentioned,) shall and may be issued and advanced in like Manner as any other Money authorized to be issued and advanced by way of Loan under the Provisions of the said recited Acts or this Act; and all and every the Provisions of the said recited Acts and this Act authorizing and regulating the Issue and Advance of Exchequer Bills or Money by way of Loan shall apply and extend to authorize and regulate the Issue and Advance of such Monies to the said Commissioners of Public Works for the Purpose aforesaid; and all Sums so advanced, (or in case of any such Grant being made as aforesaid the Residue thereof), shall be repaid, in the Proportions prescribed by any such Order as by the said Act the Lord Lieutenant or other Chief Governor or Governors of *Ireland* is authorized to make in that Behalf, by the Treasurers of the respective Counties, to such Bank or Person as the said Commissioners of the Treasury shall direct.

Presentments to be made for Interest on Sums outstanding and unpaid.

IX. Provided always, and be it enacted, That, together with and in addition to the Principal Sums to be levied off the respective Counties chargeable therewith under the Provisions of the said Act, the said respective Grand Juries shall present to be levied and paid thereout the Interest on the Sum chargeable on each County respectively, or on so much thereof as shall be from Time to Time outstanding and unpaid, at such Rate *per Centum per Annum* as the said Commissioners of the Treasury shall direct; and all and every the Provisions of the said recited Act in respect of such Principal Sums shall apply and extend to the Interest thereon, and the same shall be paid therewith.

Title of Commissioners of Public Works.

Quorum.

X. And be it enacted, That in this Act, and in any other Act passed or which may be hereafter passed, the Expression "Commissioners of Public Works in *Ireland*" shall be construed to mean the Commissioners for the Time being appointed under and acting in execution of the said recited Act passed in the Session of Parliament holden in the First and Second Years of His late Majesty's Reign and the other Acts amending the same; and that all Acts, Matters, and Things which by this Act, or any other Act passed or which may be hereafter passed, the said Commissioners may be required or authorized to do or execute, shall and may be done and executed by any Two of such Commissioners; and that any Contract, Deed, or Instrument made with or executed by any Two of the said Commissioners shall be good, valid, and effectual as if made with or executed by all the said Commissioners; any thing in any Act passed or to be passed to the contrary notwithstanding.

XI. And

Commissioners of Public Works empowered to purchase Sites for Court Houses.

XI. And be it enacted, That in order to enable the said Commissioners of Public Works in *Ireland* to purchase the Ground necessary as the Site for the building of any Court or Sessions House to be built or provided by them, by Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, under the Provisions of the said recited Act of the Sixth and Seventh Years of His late Majesty's Reign, it shall and may be lawful for the said Commissioners to contract and agree with any Person or Persons or Body or Bodies Corporate or Politic for the Purchase or renting of any Lands, Tenements, or Hereditaments required for the Site of such Sessions House; and the Lands, Tenements, or Hereditaments so contracted and agreed for shall be demised or conveyed to such Commissioners, their Successors and Assigns, in Trust for the Uses and Purposes aforesaid; and such Demise or Conveyance shall be made in such Manner and under such Regulations (so far as the same may be applicable) as are provided in an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland, with respect to the demising and conveying of any Lands, Tenements, or Hereditaments to Commissioners under that Act; provided always, that in case the said Commissioners of Public Works in *Ireland* shall be unable to agree with the Owners of any Lands, Tenements, or Hereditaments proper or necessary to be purchased for the Purpose aforesaid, it shall and may be lawful for the said Commissioners to issue their Warrant to the Sheriff in the Manner directed by the said Act of the Seventh Year of the Reign of His Majesty King *George* the Fourth, and thereupon such and the like Proceedings shall and may be had and taken for summoning, impannelling, and swearing Juries, and valuing the Premises so to be purchased or rented, and each and every Part thereof respectively, and for obtaining the full Possession and Seisin thereof, and a good Title thereto, in the said Commissioners, and with and subject to the same Rules, Regulations, Conditions, and Jurisdictions, as in the said Act is provided concerning any Lands, Tenements, or Hereditaments to be purchased by such Valuation under the said last-mentioned Act, and the said Commissioners shall in that Behalf possess and exercise all and every the Powers and Authorities by that Act granted to and vested in the Commissioners therein mentioned; and the Grand Jury of every such County, upon the Production at any Assizes of the Certificate of the Secretary of such Commissioners of the Amount of such Purchase Money, and the Costs attending such Purchase, and the Expence of building such Sessions House, shall and they are hereby authorized and required to present the Sum so agreed upon or fixed as the Purchase Money of such Premises, and the Costs attending such Purchase, together with the Expence of building such Sessions House, provided that the whole Sum so to be presented shall not exceed One thousand Pounds, as in the said Act limited.

7 G. 4. c. 74.

Power to get Materials.

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

XII. And whereas by an Act passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend an Act passed in the Seventh Year of His present Majesty, for the consolidating and amending the Laws relating to the Presentment of Public Money by Grand Juries in* Ireland, it was among

among other things enacted, that whenever the said Commissioners of Public Works in *Ireland* should, under the Provisions of the said Act of the Sixth and Seventh of *William* the Fourth, or of the Act of the First and Second of *William* the Fourth, intituled *An Act for the Extension and Promotion of Public Works in* Ireland, have undertaken the Repair or Maintenance of any public Road, it should and might be lawful for the said Commissioners at all Times thereafter to exercise all and every the same Powers and Authorities which are now vested in the Surveyor of any County or the Contractor for any Road under and by virtue of the said Act of the Sixth and Seventh of *William* the Fourth, or otherwise howsoever, or as the said Commissioners, by the Act of the Sixth of *George* the Fourth, Chapter One hundred and one, intituled *An Act to provide for the repairing, maintaining, and keeping in repair certain Roads and Bridges in* Ireland, as far as the said Commissioners may consider the same or any of them necessary for the Preservation and good Order of such Roads, and the Removal of all Nuisances thereon, as also for the Purpose of obtaining Materials for such Repairs or Maintenance which they shall have so undertaken: And whereas Doubts have arisen as to the Right of the said Commissioners to exercise the said Powers in the County of *Dublin* and in the County of the City of *Dublin*, wherein there is no Surveyor, and it is expedient to remove such Doubts, and to extend such Powers to all Works, wheresoever situate, which the said Commissioners of Public Works shall undertake; be it therefore enacted, That it shall and may be lawful to and for the said Commissioners of Public Works to use and exercise within the said County of *Dublin* and County of the City of *Dublin* respectively all and every the Powers and Authorities conferred upon them by the said recited Enactment or this Act in reference to any other County or Counties; and that it shall be lawful for the said Commissioners to use and exercise all such Powers and Authorities in respect of any Road or Bridge or other Public Work whatsoever, the making maintaining, repairing, or Preservation whereof they may be authorized to undertake under the Provisions of the said recited Acts or this Act, or any other Act passed or which may be passed, as fully and effectually, to all Intents and Purposes, as in respect of any public Road referred to in the said recited Enactment.

1 & 2 W. 4. c. 33.

6 G. 4. c. 101.

Powers of the Commissioners of Public Works in respect of Grants extended.

XIII. And whereas the said Commissioners of Public Works in *Ireland* are authorized, under the recited Acts for the Extension and Promotion of Public Works, to make Grants in aid of the Construction and Erection of Bridges and making of Roads, as therein mentioned, to an Amount in each Case equal to a Moiety of the estimated Expence of the Construction of such Road or Bridge, and also in aid of the Construction and Erection of small Harbours, Piers, and Quays on the Sea Coast, and on navigable Rivers and Lakes: And whereas the Amount authorized to be so granted for Roads and Bridges is unlimited, while that for Piers, Harbours, and Quays is limited to One thousand Pounds: And whereas it is expedient to put Grants in aid of all such Works as aforesaid on an equal Footing, and also to enable the said Commissioners to make Grants to such Amount less than a Moiety as the said Commissioners may, with the Sanction of the Commissioners of Her Majesty's Treasury,

Treasury, from Time to Time think proper; be it therefore enacted, That, notwithstanding any thing in the said Acts or any of them contained to the contrary, it shall and may be lawful to and for the said Commissioners, out of the Funds thereby or hereafter to be placed at their Disposal for that Purpose, to make Grants in aid of the Construction and Erection of small Harbours, Piers, and Quays on the Sea Coast, and on navigable Lakes and Rivers, to such Amount respectively, either more or less than the said Sum of One thousand Pounds, as they shall think expedient, and as shall be from Time to Time sanctioned by the Commissioners of Her Majesty's Treasury for the Time being, and also to make Grants in aid of the Construction or Erection of any Road or Bridge to such Amount as the Commissioners of Her Majesty's Treasury shall from Time to Time sanction, whether the same be less than or equal to a Moiety of the estimated Expence of such Road or Bridge.

Provisions of recited Acts in respect of Roads, &c. made by Grants of a Moiety extended to Roads, &c. Bridges made by Grants under this Act.

XIV. And be it enacted, That all and every the Provisions of the said recited Acts or this Act for the constructing and erecting of such Roads or Bridges, or maintaining and repairing the same, and advancing Money for such Purposes, and requiring and enforcing Repayment from the Grand Juries of Counties, Counties of Cities and Towns, of the Sums from Time to Time expended in the Construction, Erection, Maintenance, or Repair of such Roads or Bridges, shall and may be applied for the Purposes of such Roads and Bridges towards which Grants less than a Moiety or exceeding One thousand Pounds shall have been or may be made as aforesaid.

Grand Juries may repair Roads and Bridges made by Grants.

XV. And whereas Doubts have arisen as to the Power of Grand Juries to repair Roads or Bridges in aid of the Construction whereof Grants may be made or have been made by the said Commissioners of Public Works; for Removal whereof be it enacted and declared, That it shall and may be lawful for any Grand Jury to make Presentments for gravelling or repairing any such Road or Bridge in like Manner and subject in all respects to the like Provisions and Regulations as any other public Road or Bridge: Provided always, that nothing herein contained shall limit or affect the Power, Duty, and Authority of the said Commissioners of Public Works to repair the same in any Case where they shall deem it necessary or expedient so to do; and that nothing herein contained shall be construed to invalidate any Contract for the Repair of any such Road or Bridge heretofore made by or with the said Commissioners of Public Works.

Commissioners under Private Acts enabled to assign Execution of Works to the Commissioners of Public Works.

XVI. And whereas it was by the said recited Act of the First and Second Years of the Reign of His late Majesty enacted, that it shall and may be lawful for any Body or Bodies Politic or Corporate, Commissioners, Trustees, Company, Directors, Proprietors, or other Party or Persons, acting under Authority of Parliament, Charter, or Deeds of Settlement as aforesaid, to mortgage and assign to the Commissioners for the Execution of the said Act only, in Trust, any Estate, moveable Chattels, Funds, Tolls, Rates, and other accruing Profits whatever of or to which such Body or Bodies Politic or Corporate, Commissioners, Trustees, Company, Proprietors, or other Party or Persons may be or

become seised, possessed, or entitled, for the Purpose of securing the Repayment of any Advance, with Interest thereon, which the said Commissioners for the Execution of such Act shall have made or shall think fit to make to the said Body or Bodies Politic or Corporate, Commissioners, Trustees, Company, Proprietors, or other Party or Persons respectively: And whereas it is expedient to authorize the Transfer to the said Commissioners of Public Works of the Execution and Management of Public Works in aid of which Grants or Advances may be made by them under the Authority of the said recited Acts or this Act in Cases when such Transfer may be conducive to the advantageous Employment of such Grants or Advances, or to secure the Repayment of such Advances; be it therefore enacted, That it shall and may be lawful for any Body Politic and Corporate, Company, Trustees, Commissioners, Proprietors, or other Persons acting under the Authority of Parliament or Charter, or any Deed of Settlement, in the Execution and making of any Road, Bridge, Canal, Harbour, Pier, Railway, Drainage, or Embankment or other Work for the Promotion of which Advances may be made under the Authority of the said recited Acts or this Act, if they shall so think fit, and if the said Commissioners of Public Works shall so require, to transfer and assign, either absolutely or for such Term and subject to such Conditions as may be agreed upon, to the said Commissioners of Public Works, for the Purpose of obtaining any Loan or Grant, and carrying such Work into execution, all and every the Powers and Authorities belonging to or anywise vested in such Corporation, Company, Trustees, Commissioners, Proprietors, or other Persons for the Execution of any such Work as aforesaid; and every such Transfer and Assignment shall be good, valid, and effectual, and the said Commissioners of Public Works shall by virtue thereof be and become invested, either absolutely or for such Term as may be therein mentioned, with all such Powers and Authorities in respect of the Execution of such Work (but subject nevertheless to the like Duties and Obligations) as by such Act, Charter, or Deed of Settlement the Body Politic and Corporate, Company, Trustees, Commissioners, Proprietors, or other Persons making such Transfer and Assignment might lawfully use and exercise, any thing in such Act, Charter, or Deed to the contrary notwithstanding, and although such Body Corporate or Politic, Commissioners, Trustees, Company, Proprietors, or other Persons may not or have not otherwise than by this Act Right, Power, or Authority to make such Transfer and Assignment; and from and after such Transfer and Assignment all and every the Powers and Authorities in respect to the Execution of such Work theretofore vested in or belonging to such Body Politic or Corporate, Company, Trustees, Commissioners, Proprietors, or other Persons making such Transfer and Assignment shall cease and determine absolutely, or be suspended during the Term specified in such Transfer and Assignment: Provided always, that no such Transfer or Assignment shall prejudice or affect the said Commissioners of Public Works, or any of them, their or any of their Estates, Real or Persoal.

Providing for the Recovery of all Arrears of Monies re-

XVII. And whereas, under the Authority of various Acts, Advances have from Time to Time been made out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to several

payable by Grand Jury Presentment or Parochial Assessment under expired Acts.

several Counties, Parishes, and other Districts in *Ireland* on the Faith of such Advances being repaid by means of Grand Jury Presentments or Parochial Assessment in the Manner by the said Acts directed: And whereas in several Instances such Advances have not as yet been repaid, and Difficulties exist in obtaining the Repayment thereof, in consequence of the Acts which in whole or in part authorized the making of such Advances, and which provided for their Repayment, having expired or been repealed before the whole of such Advances were repaid, and it is expedient and just that such Difficulties should be removed; be it therefore enacted, That all Arrears and Instalments and Sums of Money now unpaid of any Monies whatsoever which at any Time or Times heretofore have been advanced out of the Consolidated Fund or any other of the Public Funds or Monies of the United Kingdom of *Great Britain* and *Ireland*, to or for the Use of any County, Barony, Parish, or other District or Place in *Ireland*, under the Authority of any Act or Acts which directed or provided that the same should be replaced or repaid by means of Grand Jury Presentment or Parochial Assessment, and which Act or Acts, or the Provisions therein contained relating to such Advances, and providing for the Repayment thereof, have been repealed or have expired, shall and may be recovered, raised, levied, and repaid by the Means and in the Manner herein-after mentioned.

How Monies repayable by Grand Jury Presentment shall be recovered.

XVIII. And be it enacted, with respect to all such Advances of Public Money as aforesaid which by the Act or Acts under the Authority of which the same were made were to be repaid by Grand Jury Presentment, That the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall, One Week at least before each Assizes or Presenting Term, certify to the Secretary of the Grand Jury for every County to or for the Use of which, or of any Part of which, any such Advance as aforesaid was made, the Amount of the Sum remaining due on account of such Advance, specifying in such Certificate the Purpose or Object on account of which and also the Act or Acts under the Authority of which such Advance was made, and whether the same, or any and what Part thereof, is chargeable against the Whole or any and what Division or Part of such County, and if so authorized by the Commissioners of Her Majesty's Treasury, or any Three or more of them, the Instalment or Portion of such Sum or Sums which it is considered just or necessary to call for at the Time of giving such Certificate; and every such Secretary as aforesaid is hereby required, in the Case of the County or City of *Dublin* at the Presenting Term, and in the Case of any other County at the Assizes next ensuing the Receipt of such Certificate, to lay the same before the Grand Jury of the County of which he is such Secretary, and thereupon each such Grand Jury is hereby empowered and required to present the Sum therein stated to be due and owing by such County, or any District or Part thereof, on account of such Advance, or such Instalment or Portion thereof as may be so required by such Certificate to be then presented, if the Whole shall not be then called for, to be raised and levied off the Whole or some particular Division or Part of such County accordingly, as the same respectively shall be stated in such Certificate to be chargeable therewith, and every Sum so presented

shall be raised and levied accordingly in like Manner as other Monies presented at the same Presenting Term or Assizes respectively; and every such Presentment shall be made without any previous Application to Presentment Sessions; and the Money so levied shall be paid over in such Manner and to such Bank or Person as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall direct.

Proceedings in case of Default of Presentment.

XIX. And be it enacted, That in case any Grand Jury at any Presenting Term or Assizes, as the Case may be, shall neglect or refuse duly to present any Money which under the Provisions of this Act, or any other Act or Acts, such Grand Jury is or may be required to present upon the Certificate of such Chief or Under Secretary as aforesaid, or which by any Act or Acts is directed to be raised by Grand Jury Presentment, the Court at any such Presenting Term and the Judge at any such Assizes may and shall make an Order directing the Sum or Sums which ought to have been so presented to be raised and levied as if the same had been so presented, and such Order shall have the Force and Effect of a Presentment; and the Treasurer of the County shall insert the Sum mentioned in such Order in his Warrant, and the same shall be applotted, raised, levied, and applied in like Manner, to all Intents and Purposes, as if the same had been duly presented by such Grand Jury.

Advances repayable by Parochial Assessment how to be recovered.

XX. And be it enacted, That with respect to all such Advances of Public Money as aforesaid which by the Act or Acts under the Authority of which the same were made were directed to be repaid by means of Parochial Assessment, such Chief or Under Secretary as aforesaid shall from Time to Time, but not oftener than once in each Year, certify to the Churchwarden or Churchwardens, or in case there shall be no Churchwarden to any Two Inhabitants, of the Parish to or for the Use of which any such Advance as aforesaid was made or wherein any such Money so advanced may have been expended, the Amount of the Sum or Sums remaining due on account of such Advance, specifying in such Certificate the Purpose or Object on account of which and also the Act or Acts under the Authority of which such Advance was made, and if so authorized by the Commissioners of Her Majesty's Treasury, or any Three or more of them, the Instalment or Portion of such Sum or Sums which it is considered just or necessary to call for at the Time of giving such Certificate; and all and every such Churchwardens or Churchwarden or Inhabitants, as the Case may be, are hereby required, upon the Receipt of such Certificate, to call a Vestry of such Parish, and at such Vestry the Sum or Sums stated in such Certificate to be due and owing by such Parish on account of such Advance aforesaid, or such Instalment or Portion thereof as may be so required by such Certificate to be then assessed, if the Whole shall not be then called for, shall be assessed accordingly, and the same shall be applotted, raised, and levied on such Parish in like Manner as Parochial Assessments may or might have been or be applotted, raised, and levied by virtue of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend the Laws which regulate the Levy and Application of Church Rates and Parish* 7 G 4. c. 72.

Parish Cesses, and the Election of Churchwardens, and the Maintenance of Parish Clerks, in Ireland; and the Money so levied shall be paid over in such Manner and to such Bank or Person as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall direct.

Proceedings in case of Default of Vestry Applotment.

XXI. And be it enacted, That in case such Churchwarden or Churchwardens or Inhabitants (as the Case may be) shall neglect to call such Vestry for the Space of One Month after such Certificate shall be so sent to such Churchwardens or Inhabitants as aforesaid, or in case any Vestry so called shall decline or neglect to make any such Assessment as aforesaid, it shall and may be lawful for the Justices of Her Majesty's Court of Queen's Bench in *Ireland* in case of the County or County of the City of *Dublin*, and for any Judge of Assize in any other County, upon a Motion for that Purpose made in open Court, and such Justices or Judge (as the Case may be) are and is hereby required, to make an Order directing the Sum or Sums which ought to have been so assessed to be raised and levied off such Parish in like Manner as if the same had been duly assessed according to the Provisions of this Act, and also (if necessary) appointing One or more Person or Persons to applot and levy such Sum or Sums upon the Inhabitants of such Parish, or directing the same to be levied by the County Treasurer off the said Parish, as if the same had been presented to be levied thereout by any Grand Jury Presentment; and every such Order shall have the like Force and Effect as any Vote of Vestry duly made under this Act, and shall be to all Intents and Purposes deemed, considered, and acted upon as such Vote of Vestry by all and every Person and Persons whose Office or Duty it would have been to carry such Vote of Vestry into effect, or by the said Person or Persons so appointed by the said Court or Judge, or by the said Treasurer, as the Case may be.

Monies lost by Default of County Treasurers to be presented again.

XXII. And whereas it is expedient to make more effectual Provision for securing the Public Treasury against Loss from the Insolvency of County Treasurers and others; be it therefore enacted, That in every Case in which Money has been or shall be issued out of the Consolidated Fund or any other of the Public Funds or Monies of the United Kingdom to or for the Use of any County in *Ireland*, or any Part or Division of the same respectively, under the Authority of any Act or Acts which did or do or shall require such Money to be replaced or repaid by means of Grand Jury Presentment, and in pursuance thereof such Money has been or shall be presented or ordered to be levied accordingly, but nevertheless the same is or shall be unpaid by reason of the absconding or Insolvency or Default of the Treasurer of such County, or of any Collector or other Person empowered to collect or receive Public Money therein, then and in every such Case the Amount of the Sum so remaining unpaid as aforesaid shall be certified to the Secretary of the Grand Jury for such County by the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and thereupon the like Presentment or Order shall be made, the like Proceedings then, the like Powers exercised, and Acts and Matters and Things whatsoever done and executed, for rendering effectual the Levy and Repayment of every Sum

Sum so certified as last aforesaid, as are herein-before directed, authorized, and required for rendering effectual the Levy and Repayment of any other Sum certified to be due by such Chief or Under Secretary to any such Secretary of the Grand Jury as aforesaid pursuant to the Provisions herein-before in that Behalf contained: Provided always, that before taking any such Proceedings as aforesaid for procuring the Repayment of any Money which may have been or be so presented, but which shall remain unpaid by reason of the absconding, Insolvency, or Default of any such Treasurer, Collector, or other Person empowered to collect or receive the same as aforesaid, the Commissioners of Her Majesty's Treasury shall cause the Accounts relating to such Issues or Advances and Repayments to be audited and the Balances remaining due to be ascertained by the Officer charged for the Time being with the Duty of auditing the Accounts of the Treasurers of Counties and Counties of Cities and Towns in *Ireland* under an Act passed in the First Year of the Reign 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;* and such Officer is hereby authorized and required to audit the said Accounts and ascertain such Balances, and shall for that Purpose have all such Powers and Authorities as he may now by Law have for the Audit of the said Treasurers Accounts; and the said Officer shall cause a Notice of the Time appointed for the Audit of such Accounts as regards each County respectively to be given to the Secretary of the Grand Jury of such County, who shall lay the same before the Grand Jury of such County at the next ensuing Assizes; and they shall have Power, if they shall so think fit, to direct the Treasurer of the County to attend such Audit with all proper Vouchers and Documents; and the Expence of the Attendance of such Treasurer, and of any other Person whom such Officer shall deem it necessary to examine on the Matters aforesaid, shall be defrayed to the Extent that shall be approved of by such Officer, and not otherwise, out of the Fee Fund in the said last-recited Act mentioned, and the Amount so disbursed in respect of the Audit of the Accounts of each County shall be levied off each such County by Grand Jury Presentments, together with and in addition to the Amount of the Fee by the said last-mentioned Act directed to be so levied.

1 & 2 Vict. c. 58.

XXIII. And be it enacted, That if any Secretary of a Grand Jury, Treasurer of any County, or any Churchwarden of any Parish in *Ireland*, or any Collector of Grand Jury or Parish Cess, or other Person, shall neglect or refuse to perform any of the Duties which by this Act he is required to perform, he shall for every such Offence forfeit and pay to the Queen's most Excellent Majesty, Her Heirs and Successors, the Sum of Fifty Pounds, to be recovered by Information in any One of Her Majesty's Superior Courts of Record in *Ireland*, in addition to any other Liabilities which may attach on him or them, or his or their Sureties, Lands, and Tenements, by reason of such Neglect or Default, or by reason of the Receipt of any Monies under this Act; all which Monies, when received by any such Treasurer, Churchwarden, Collector, or other Person, shall be deemed to be received by him or them to the Use of Her Majesty, Her Heirs and Successors, and to be

Penalty on Officers neglecting or refusing to act hereunder.

recoverable and accounted for accordingly as in other Cases of Debtors and Accountants to the Crown.

Officers Collectors, &c. accountable.

XXIV. And be it enacted, That all and every such Officers as aforesaid, and all Persons respectively employed in the Collection, Receipt, or Custody of Grand Jury or Parish Cess, shall be answerable for, and that all Securities entered into by such Persons in respect of such Employment shall respectively extend to, all Monies to be levied by Grand Jury Presentment, Parochial Assessment, or otherwise under this Act.

Money due by Counties shall be certified by the Paymaster of Civil Services in Ireland, unless otherwise provided.

XXV. And be it enacted, That in every Case in which the Grand Jury of any County at any Assizes is or may, by this Act or any other Act or Acts passed or to be passed, be required to present any Money, and in default of its being by such Act or Acts provided that some other Officer or Person shall certify to the Secretary of the Grand Jury for such County the Amount so to be presented, it shall be lawful for the Paymaster of Civil Services in *Ireland*, or for the Secretary of the said Commissioners of Public Works in the Case of any Presentment required to be made for the Purpose of reimbursing or repaying any Monies advanced or expended by the said Commissioners, to certify to such Secretary of the Grand Jury the Amount to be so presented, specifying in such Certificate the Act or Acts under the Authority of which such Presentment is required to be made, and whether such Money is chargeable against the Whole or any and what Division and Part of such County, and thereupon the like Presentment or Order shall be made, the like Proceedings taken, the like Powers exercised, and Acts and Matters and Things whatsoever done and executed, for rendering effectual the Levy and Payment or Repayment of every Sum so certified as last aforesaid, as are herein-before directed, authorized, and required for rendering effectual the Levy and Repayment of any Sum certified to be due by such Chief or Under Secretary to any such Secretary of the Grand Jury as aforesaid pursuant to the Provisions herein-before in that Behalf contained.

Construction of the Word "County."

XXVI. And be it enacted, That wherever the Word "County" occurs in this Act, the same shall be construed to extend to and comprehend a County of a City or a County of a Town, as well as a County at large.

Act may be amended, &c.

XXVII. 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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