ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

****

C A P. VI.

An Act to amend an Act of Her present Majesty for vacating any Presentment for rebuilding the Gaol of *Newgate* in *Dublin*, and any Contract between the Commissioners for rebuilding the said Gaol and the Contractor.

[23d *March* 1842.]

WHEREAS an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for vacating any* 3 & 4 Vict. *Presentment for rebuilding the Gaol of* Newgate *in* Dublin, *and* c. 53. *vacating any Contract between the Commissioners for rebuilding the said Gaol and the Contractor*, whereby, among other things, Provision was made for ascertaining by Arbitration the Compensation to be made to the Contractor for rebuilding the Gaol of *Newgate* in the City of *Dublin*, for any Losses sustained by him by reason of such Contract not being carried into effect: And whereas the Sum of One thousand seven hundred Pounds was accordingly awarded to *John North*, the Contractor for rebuilding the said Gaol, in full for his Damages, Expences, and Costs in relation to the said Contract:

And

And whereas, in pursuance of the Presentment previously made for rebuilding the said Gaol, a Sum of One thousand five hundred and thirty Pounds was raised off the County of the City of *Dublin*, and paid to the Collector of Excise of the *Dublin* District, pursuant to the Provisions of an Act passed in the Seventh Year of the Reign of His 7 G. 4. c. 74. Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland; and the Commissioners of Her Majesty's Treasury, by virtue of the said last-mentioned Act, had advanced to the Commissioners for rebuilding the said Gaol the Sum of Five hundred Pounds, which was expended by them in the Preparation of the necessary Plans and Specifications for the then intended Building: And whereas, after the Repayment of the said Sum of Five hundred Pounds so advanced by the Commissioners of Her Majesty's Treasury, there remained in the Hands of the said Collector of Excise only a Sum of One thousand and thirty Pounds applicable to the Payment of said Sum of One thousand seven hundred Pounds so awarded to the said *John North*; and the said Sum of One thousand and thirty Pounds has been paid, pursuant to the Provisions of the herein-before first-recited Act, to *Anne North*, Administratrix of the said *John North*, who is lately deceased, but there is still due to the said *Anne North*, as such Administratrix, the Sum of Six hundred and seventy Pounds on Foot of the said Award: And whereas the Provisions made by the said first-recited Act for the Payment of any Sum which might be awarded to the said Contractor, exceeding the Amount of the Instalments then paid to the Collector of Excise for the said *Dublin* District for and on account of the said Presentment, are not effective for that Purpose, and no Provision was thereby made for defraying the Costs and Expences attendant upon the said Arbitration; and it is necessary to make Provision for both such Purposes, and to amend the said first-recited Act accordingly: 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 the said Sum of Six hundred and seventy Pounds so remaining due to the said *Anne North*, as Administratrix of the said *John North*, on Foot of the said Award, as also the Costs and Expences of the said Arbitration, together with the Expences of Witnesses, and all other Costs and Expences attendant upon the said Arbitration and Award, or which may have been incurred in the Settlement of the Matter aforesaid, shall be raised by Presentment by the Grand Jury of the County of the City of *Dublin* at the next or any subsequent Presenting Term, on the Certificate of the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, specifying the Sum or Sums to be so raised, in like Manner as Grand Jury Presentments are now by Law raised on or off the said County; and that the said Sum of Six hundred and seventy Pounds shall, when so raised, be paid to the said *Anne North*, or the Person who shall then be the personal Representative of the said *John North*, and that the Sum or Sums due on account of the said Costs and Expences shall, when so raised, be paid to the Person or Persons who shall in and by such Certificate be declared entitled thereto,

The Balance due to the Widow of the Contractor on Foot of the Award, as also the Expences of the Arbitration, shall be raised by Grand Jury Presentment off the County of the City of Dublin.

II. Provided always, and be it enacted, That the said Costs and Expences shall be taxed and ascertained, and the Amount thereof, and the Person or Persons to whom the same may be due respectively, certified by the Senior Master of the High Court of Chancery in *Ireland* to the said Chief or Under Secretary, who shall insert the same accordingly in the Certificate to be laid before the said Grand Jury as aforesaid.

Costs and Expences to be first taxed.

III. And be it enacted, That in case the said Grand Jury of the County of the City of *Dublin*, at any such Presenting Term as aforesaid, shall, on the Production of the said Certificate of the said Chief or Under Secretary, neglect or refuse duly to present the Sum or Sums therein mentioned and contained, the Court shall, at the same Presenting Term, make an Order directing the Sum or Sums mentioned and contained in such Certificate to be raised, applotted, levied, and applied 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 said County of the City of *Dublin* shall insert the Sum or Sums 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.

In default of Grand Jury presenting, the Court shall make an Order of the same Effect.

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

Act may be amended this Session.

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