

ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

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CAP. CVIII.

An Act to provide additional Funds for Loans and Grants for Public Works in *Ireland*.

[28th *August* 1846.]

WHEREAS an Act was passed in the First Year of the Reign of Her present Majesty, intituled *An Act to amend the Acts for the Extension and Promotion of Public Works in* Ireland, and by the said Act the Commissioners of Public Works in *Ireland* acting in execution of the said Act, and the other Acts therein referred to, are authorized to make Advances by way of Grant and Loan respectively for the Purposes and to the Amount in the said Act mentioned and limited: And whereas another Act was passed in the present Session of Parliament, intituled *An Act for the further Amendment of the Acts for the Extension and Promotion of Public Works in* Ireland, and by the said Act it is enacted, that it shall be lawful for the said Commissioners of Public Works, with the Sanction of the Commissioners of Her Majesty's Treasury, to make additional Advances by way of Grant to an Amount not exceeding in the whole the Sum of Fifty thousand Pounds, for the Purposes and subject to the Provisions of the said Act, and the several Acts therein mentioned and referred to: And whereas, in consequence of the urgent Demand for the Employment of the Poor, arising from the Failure of the Potato Crop in *Ireland*, the said Sum of Fifty thousand Pounds by way of Grant, and an equal Sum by way of Loan, were found

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

9 & 10 Vict. c. 1.

found insufficient for the Purposes of the said Act, and the Works applied for under the said last-recited Act have been estimated at a Sum of Four hundred and fifty thousand Pounds, and the said Commissioners of Her Majesty's Treasury have sanctioned and undertaken the Advances necessary for the Execution of such Works to the Amount of a Sum not exceeding Four hundred and fifty thousand Pounds in the whole, for the Purposes of the said Acts; that is to say, one Moiety thereof, *videlicet*, a Sum not exceeding Two hundred and twenty-five thousand Pounds, in the way of Grant, and the other Moiety, *videlicet*, a Sum not exceeding Two hundred and twenty-five thousand Pounds, in the way of Loan: 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 and may be lawful for the said 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, out of the growing Produce of the Consolidated Fund of *Great Britain* and *Ireland*, in addition to the said Sum of Fifty thousand Pounds by the said Act of the present Session authorized, any further Sum or Sums of Money, not exceeding in the whole the Sum of One hundred and seventy-five thousand Pounds, to make up and meet the said Sum not exceeding Two hundred and twenty-five thousand Pounds, being the said Moiety in the way of Grant for the several Purposes mentioned in the said Act of the present Session, and the several Acts therein recited, or any of them.

Treasury may advance an additional Sum of 175,000*l.* in the way of Grant;

II. And be it enacted, That the other Moiety of the said Sum not exceeding Four hundred and fifty thousand Pounds, being a Sum not exceeding Two hundred and twenty-five thousand Pounds, shall be supplied by way of Loan in like Manner as other Loans by the said Commissioners of Public Works, out of the Funds applicable for the Purposes of Loans under the said recited Acts, and the other Acts now in force or to be passed during the present Session of Parliament, for the Extension and Promotion of Public Works in *Ireland*, or any of them.

and 225,000*l.* by way of Loan.

III. And be it enacted, That a Moiety of the Monies heretofore advanced, or so to be from Time to Time advanced under the said Two first-recited Acts therein referred to, and this Act, or any of them, for the Promotion of any Public Work in any County, County of a City, or County of a Town, shall be repaid by Grand Jury Presentment at such Time and in such Manner as the said Commissioners of Her Majesty's Treasury shall appoint and direct; and the Commissioners of Public Works shall, from Time to Time as they may be directed by the Commissioners of the Treasury, certify to the Secretary of the Grand Jury of each such County, County of a City, or County of a Town, the Money so to be repaid, and each such Secretary shall lay such Certificate before the Grand Jury of such County, County of a City, or County of a Town at the next Assizes after he shall receive the same; and it shall be lawful for such Grand Jury and they are hereby required to present the Sum mentioned in every such Certificate to be raised either off the County at large, or off the

One Moiety to be repaid by Grand Jury Presentment.

the Barony or Half Barony or other Division in which the Work to which such Certificate may relate shall have been executed, as they may think fit; and the Treasurer of such County shall pay the Sum so presented, when and as by him received, into the Bank of *Ireland*, to the Credit of the Paymaster of Civil Services "on account of Repayment of Loans for Public Works," to be by such Paymaster carried to the same Account as other Monies received in Payment of Loans for Public Works: Provided always, that if the Grand Jury of any County, County of a City, or County of a Town shall fail to present the Sum mentioned in any such Certificate, the Treasurer of such County, County of a City, or County of a Town shall and he is hereby required to insert such Sum in his Warrant for raising the Monies presented at the same Assizes as if such Sum had been presented by such Grand Jury to be raised off the County at large, County of the City, or County of the Town, and the same shall be raised and levied off such County at large, County of the City, or County of the Town accordingly as if the same had been so presented; and the said Treasurer shall pay over the Amount, when by him received, as herein-before provided in the Case of such Money being presented.

If the Grand Jury fail to present, the Treasurer shall include the Amount in his Warrant.

IV. And be it enacted, That when any public Road or other Work shall have been or shall or may hereafter be made, altered, or improved under the Provisions of the said recited Acts of the First and Ninth Years of the Reign of Her present Majesty, intituled respectively as aforesaid, it shall be lawful for any Occupier or Owner of the Ground taken and occupied or required for the Purpose of making, altering, or improving such Road or other Work, to demand and obtain from the Officer of the said Commissioners of Public Works by whom such Work shall have been or shall be executed a Certificate under his Hand (which such Officer is hereby required to give), stating the Quantity of Ground belonging to such Occupier or Owner taken, occupied, or required for the Purpose of making, altering, or improving any such Road or other Work, and an Estimate of the average annual Value of such Ground, the Tenure of such Occupier or Owner thereof, and an Estimate of the total Damage sustained by him by the making, altering, or improving such Road or executing such other Work; and upon giving or tendering such Certificate it shall be lawful for such Officer as aforesaid to proceed in the Execution of the necessary Works for making, altering, or improving such Road or other Work without the Interruption of any Person; and, any thing in the said Two first-recited Acts, or any of the Acts therein referred to, to the contrary notwithstanding, it shall be lawful for any such Owner or Occupier, giving Ten Days previous Notice to the Secretary of the Grand Jury of the County, County of the City or Town, in which such Ground shall be situate, to make Application to the Grand Jury at the Assizes next following the giving of such Certificate, or the next subsequent Assizes, for the Amount of Damages specified in such Certificate, whereupon it shall be lawful for the Grand Jury of such County, County of a City or Town, to present, without previous Application to Presentment Sessions, such Sum or Sums of Money for the Use of such Owner or Occupier in respect of the Damage sustained by him as they, upon Inspection of such Certificate, shall deem reasonable, to be raised off the Barony or Half Barony in which such Ground shall

Owners, &c. of Land taken for the Purposes of the Act to obtain from the Officer of the Commissioners for Public Works a Certificate of the Value, &c. of the same, upon Production of which Grand Jury shall present a Sum of Money for Damage sustained.

In case Owner, &c. shall not make Application to Grand Jury, he may apply to the Assizes, upon giving Notice.

shall be situate, and to such Presentment no Traverse shall be allowed or received; but in case such Owner or Occupier shall not think fit to make such Application to the Grand Jury, it shall be lawful for him, at the Assizes next following the giving of the said Certificate, or at the next subsequent Assizes, upon giving Ten Days Notice previously to such Assizes to the Secretary of the Grand Jury of the Amount of Damages intended to be claimed, to have a Traverse for Damages entered in the Crown Book in respect of such Damage sustained by him; and thereupon such Traverse shall be tried in like Manner, and like Proceedings shall be had, and Presentment made in respect of the same, and subject to like Provisions, as far as the same can be applied, as in the Case of Traverses entered for Damages under the Acts for consolidating and amending the Laws relating to the Presentment of public Monies by Grand Juries in *Ireland*.

The Treasury may direct the Commissioners for Execution of the Act 5 & 6 Vict. c. 9. to transfer 145,000*l.* to the Commissioners of Public Works.

V. And whereas the Monies now at the Disposal of the Commissioners of Public Works in *Ireland*, to be advanced by way of Loan, are insufficient for the Purpose of making the Advances by way of Loan herein-before mentioned, and the other Advances which the said Commissioners may be called upon to make under the Provisions of the several Acts now in force for the Promotion of Public Works in *Ireland*; be it therefore enacted, That out of the Sum not exceeding Three hundred and sixty thousand Pounds *per Annum* which by the Act of the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Advance of Money out of the Consolidated Fund to a limited Amount for carrying on Public Works and Fisheries, and Employment of the Poor, and to amend the Acts authorizing the Issue of Exchequer Bills for the like Purposes*, the Commissioners of Her Majesty's Treasury are authorized to charge on the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, and which they are authorized to direct to be paid to the Account of the Commissioners for the Reduction of the National Debt during the Term of Five Years next ensuing the Fifth Day of *April* One thousand eight hundred and forty-two, it shall be lawful for the Commissioners of Her Majesty's Treasury to direct the Commissioners for carrying into execution the said Act of the Fifth Year of the Reign of Her present Majesty to transfer from their Account with the Commissioners for the Reduction of the National Debt to the Account kept by the last-mentioned Commissioners with the Commissioners of Public Works in *Ireland* a Sum not exceeding One hundred and forty-five thousand Pounds, to be at the Disposal of the said Commissioners of Public Works in *Ireland* for the Purposes of the Loans herein-before mentioned, and the other Loans which the said Commissioners of Public Works may be called upon to make under the Provisions of the Acts now in force for the Extension and Promotion of Public Works in *Ireland*.

Act may be amended, &c.

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

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