


ANNO SEXTO & SEPTIMO

# GULIELMI IV. REGIS.

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1 & 2 W. 4. c. 51. the Fourth, intituled *An Act to amend an Act of the Seventh Year of the Reign of His late Majesty King* George *the Fourth, for making Provision for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in* Ireland, *for the Purpose of the more equally levying of the Rates and Charges upon the same;* an Act passed in the Second and Third Years of the 2 & 3 W. 4. c. 73. Reign of His Majesty King *William* the Fourth, intituled *An Act to amend Two Acts, of the Seventh Year of the Reign of His late Majesty King* George *the Fourth, and in the First and Second Years of the Reign of His present Majesty, for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in* Ireland; so much of an Act passed in the Fourth and Fifth Years of the Reign of His Majesty King and Part of 4 & 5 W. 4. c. 55. *William* the Fourth, intituled *An Act to amend Three Acts, made respectively in the Seventh Year of the Reign of His late Majesty King* George *the Fourth, and in the First and Second Years and in the Second and Third Years of the Reign of His present Majesty, for the uniform Valuation of Lands and Tenements in the several Baronies, Parishes, and other Divisions of Counties in* Ireland; *and to provide for the more effectual Levy of Grand Jury Cess,* as relates to the uniform Valuation of Lands and Tenements in *Ireland;* and the said several Acts and Parts of Acts are hereby repealed, save so far as they repeal any other Act or Part thereof: Provided nevertheless, that all Acts, Matters, and Things heretofore done under the Provisions of the said Acts, or any of them, hereby repealed, shall be and remain valid and effectual to all Purposes whatsoever; and that any Valuation made or in progress under the Provisions of the said Acts shall be deemed and taken to be a Valuation made by Authority of this Act; and that all Proceedings had or taken in or towards making the Valuation prescribed by the said Acts shall enure to the Purposes of the Valuation prescribed by this Act, and be taken to be good, valid, and effectual as if done for the Purpose of the Valuation prescribed by this Act and under the Authority hereof, subject nevertheless to the Provision herein-after contained for the Amendment of the Valuation made or in progress under Authority of the said recited Acts.

except as they repeal other Acts.

Proviso.

Persons acting under recited Acts to continue in discharge of their Duties till otherwise directed.

II. And be it enacted, That the Commissioner of Valuation and other Persons heretofore appointed or acting under the said recited Acts, or any of them, in any County, shall and he and they are hereby authorized and required, notwithstanding the passing of this Act, to continue to discharge and execute their several Duties and Offices, for the Purpose of carrying this Act into execution, without any further or other Appointment thereto, until the Lord Lieutenant of *Ireland* shall otherwise direct.

Whenever the Survey of any Barony, &c. is completed, a Map to be sent to Chief Secretary of Lord Lieutenant.

III. And be it enacted, That whenever the Survey of any County or of any Barony of a County liable to be separately assessed to raise and pay any Proportion of County Cess Charges and Grand Jury Rates, now and heretofore in progress, shall have been made and completed under the Direction of the Officers appointed by the Master General and Board of Ordnance, a Map or Plan of such Barony shall be transmitted by some such Officer to the Chief Secretary of the said Lord Lieutenant, from Time to Time when and as any such Survey shall have

have been or shall be made and completed, or when and as any such Map or Plan shall be required by such Chief Secretary to be transmitted as aforesaid.

Lord Lieutenant may appoint a Commissioner to value the Baronies, &c. so surveyed.

IV. And be it further enacted, That at any Time after the Receipt of any such Map or Plan it shall and may be lawful for the said Lord Lieutenant to nominate and appoint one fit and proper Person to be Commissioner for the several Counties in *Ireland*, to be called the Commissioner of Valuation for such Counties, who shall hold such Office during the Will and Pleasure of the said Lord Lieutenant, and who shall repair to any County, and make a Valuation of the Houses and Lands within every Barony, Parish, or other Division in such County of which any such Map or Plan shall have been made and delivered as aforesaid, and shall proceed in such Valuation at such Times and in such Manner and under such Regulations as such Lord Lieutenant shall order, direct, and appoint; and the said Chief Secretary shall notify or cause to be notified in Writing to the Secretary of the Grand Jury of every such County the Appointment of such Commissioner of Valuation, and such Secretary shall lay such Notification before the Grand Jury of such County at the next ensuing Assizes.

Appointment to be notified to Secretary of Grand Jury.

Grand Juries at Assizes shall appoint Committees of Appeal for each Barony, and a general Committee of Revision for the County.

V. And be it further enacted, That at the next ensuing Assizes after the Receipt of the Notification of the Appointment of such Commissioner of Valuation (or at any succeeding Assizes, if need be), the Grand Jury of such County shall nominate and appoint Committees for the several Baronies within every such County respectively, each consisting of not less than Three nor more than Five of such Grand Jurors or Persons who have served upon Grand Juries, together with any Number of Magistrates, not more than Five, resident within such County, each to be called a Committee of Appeal on Valuations for the Barony or Baronies to be named and appropriated to each Committee; and every such Committee shall sit and meet within the Barony or Baronies for which such Committee shall be appointed, at such Times as shall be required for the Execution of the Purposes of this Act; and such Grand Jury shall also in like Manner nominate and appoint one general Committee, to consist of not less than Seven nor more than Twelve Persons who have served on Grand Juries or who are Magistrates resident within such Counties, to be called a Committee of Revision of Valuations for the County; and such Committee shall sit and act under the Directions of this Act; and when it shall happen that any such Committee of Appeal or Committee of Revision respectively shall not have assembled, or shall not have received Notice to assemble, at any Time previous to the Assizes next ensuing such their Appointment respectively, the Grand Jury at such next ensuing Assizes shall nominate and appoint a Committee or Committees of Appeal and a Committee of Revision, as the Case shall require, either by Re-appointment of the former Members or any of them, or by the Appointment of any other Person or Persons, to be Members of such Committees respectively; and the Appointment of such Committee shall be made, and Lists thereof respectively shall be delivered by such Grand Jury to the Court, before any Presentment for any Road or Bridge shall be fiated by the Judge at any such Assizes.

VI. And

Lord Lieutenant may appoint Assessors to such Committees.

VI. And be it enacted, That it shall be lawful for the said Lord Lieutenant, on the Application of any such Commissioner, or when it shall seem expedient to him so to do, to appoint any practising Barrister to be an Assessor to any such Committee, either to assist such Commissioner, or in the Place and instead of such Commissioner; and such Commissioner, or in his Absence such Assessor, shall attend and act as Chairman of such Committee of Appeal or Revision; and such Committee so constituted shall decide on all Questions which shall come before them by a Plurality of Voices; and in case any such Committee shall be equally divided, the Commissioner of Valuation, or in his Absence the Assessor, being such Chairman, shall have the casting Voice.

Decisions of Questions by Committees.

Commissioners shall appoint Valuators.

VII. And be it enacted, That it shall be lawful for the Commissioner of Valuation who shall be appointed under this Act to nominate and appoint any Number of Persons, conversant and professionally employed in surveying and valuing Land and Houses, or in Cases of Towns in valuing of Houses only, to be Valuators, and to remove all or any such Valuators from Time to Time, and to nominate any other Person or Persons to be a Valuator or Valuators in the Place and Stead of the Person so removed; and previously to the Appointment of any Person to be a Valuator such Commissioner shall, in company with such Person, perambulate the Whole or any Part of a Barony, in order fully to ascertain his Competence for acting as such Valuator.

Lord Lieutenant may give Orders as to Conduct of Commissioners and Valuators.

VIII. And be it further enacted, That it shall be lawful for the said Lord Lieutenant to give such Orders, Instructions, and Directions for the Conduct of the said Commissioner or Commissioners and Valuators respectively, and for the Employment of such Clerks or other Persons, in the Discharge of their several Duties under this Act, as to such Lord Lieutenant shall from Time to Time seem fitting and expedient for the due Execution of this Act.

Averages at which Valuations shall be made of Lands.

IX. And be it further enacted, That the Valuation of all Lands for the Purposes of this Act shall be made with reference to the Average Prices as herein-after specified of the several Articles following; (that is to say,)

Wheat at the general Average Price of Ten Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Oats at the general Average Price of Six Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Barley at the general Average Price of Seven Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Potatoes at the general Average Price of One Shilling and Seven-pence *per* Hundred Weight of One hundred and twelve Pounds:

Butter at the general Average Price of Sixty-nine Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Beef at the general Average Price of Thirty-three Shillings *per* Hundred Weight of One hundred and twelve Pounds:

Mutton at the general Average Price of Thirty-four Shillings and Six-pence *per* Hundred Weight of One hundred and twelve Pounds:

Pork at the general Average Price of Twenty-five Shillings and Six-pence *per* Hundred Weight of One hundred and twelve Pounds.



X. And

Valuation of Houses.

X. And be it enacted, That for the Purposes of this Act all Houses comprised in the Valuation hereby directed to be made shall be valued at the Sum or Rent for which each such House could be let by the Year, deducting therefrom One Third Part of such Sum or Rent: Provided always, that no House for which a greater Sum or Rent by the Year than Five Pounds could not be obtained shall be included in the said Valuation.

Lord Lieutenant may direct all Houses not exceeding 5*l.* in annual Value to be erased from Lists, &c.

XI. And whereas in the Valuation heretofore made under the Authority of the several Acts hereby repealed Houses of an annual Value exceeding Three Pounds have been included, and it is expedient that such Valuation should be amended in that respect; be it therefore enacted, That the said Lord Lieutenant shall and may, when he shall so think fit, authorize and direct the Commissioner of Valuation by whom any such Valuation may have been made to deduct and erase from the several Maps, Field Books, and Lists all Houses which shall therein appear to be of an annual Value not exceeding Five Pounds; and such Maps, Field Books, and Lists so amended shall be of the like Validity and Effect as the same now are, and as if such Houses had never been included therein: Provided always, that no Levy nor Assessment made previous to such Amendment shall be impeached by reason of Houses of an annual Value not exceeding Five Pounds having been included in the Valuation with reference whereunto such Levy or Assessment may have been made.

Outbuildings and Appurtenances to be valued with the House.

XII. And be it further enacted, That all Outbuildings, Barns, Stables, Warehouses, Yards, and Offices belonging or contiguous to any House, and occupied therewith by one and the same Person or by the same Persons, or his or their Servants, as one entire Concern or undivided Tenancy or Holding, shall be valued together with such House, and be deemed and taken to be Parcel thereof.

Effective Water Power of all Mills to be valued.

XIII. And be it enacted, That all Flour, Corn, Flax, or other Mills, or Buildings erected for manufacturing or other Purposes, shall be included in such Valuation; provided that the Water Power of any such Mill or Manufactory be only valued so far as it may be actually used, and that such Valuation shall not extend to or include the Value of any Machinery contained within such Mill or Manufactory.

Commissioner of Valuation shall distinguish all Houses, &c. which shall be exempted from Applotment, &c.

XIV. And be it enacted, That in making out the Lists or Tables of Valuation herein-after mentioned of the several Parishes within each Barony, and of the Townlands or other Sub-denominations or Divisions of Land within every such Parish, as herein-after specified, the Commissioner of Valuation shall distinguish all Houses, Lands, or Tenements of a public Nature, or used for charitable Purposes, and the Value of the same shall be deducted from the gross Amount of the Valuation of the Houses, Lands, and Tenements comprised in each such List or Table; and all such Houses, Lands, or Tenements so distinguished and deducted shall be exempt from Applotment or Assessment for or towards all County Cess Charges and Parish Rates whatsoever so long as they shall continue to be of a public Nature or used for charitable Purposes; and the Lists, Tables, or Valuations

so reduced shall be and be deemed to be the Lists, Tables, or Valuations whereby all Grand Jury and Parish Rates shall be assessed and levied as herein-after provided.

What Houses, &c. exempted from Applotment. Committees of Appeal and of Revision to determine Exemptions.

XV. And be it enacted, That no Houses, Lands, or Tenements shall be deemed to be of a public Nature or used for charitable Purposes within the Meaning of this Act unless such Houses, Lands, or Tenements shall be altogether of a public Nature or used exclusively for charitable Purposes: Provided nevertheless, that the Committee of Appeal and Committee of Revision respectively in each County shall, as herein-after provided, have Power and Authority to consider and determine the Justice and Propriety of all such Exemptions, and to make Order allowing or disallowing the same accordingly.

High Constables, &c. to make Returns to Commissioner of Valuation respecting Exemptions.

XVI. And in order to ascertain the Houses, Lands, and Tenements exempt from Assessment as aforesaid, be it further enacted, That the several High Constables or other Collectors of County Cess in every County shall, with all convenient Speed after the same shall have been demanded of them, make out and deliver to the Commissioner of Valuation for such County a Return of the several Houses, Lands, and Tenements which are altogether of a public Nature or used exclusively for charitable Purposes within their respective Districts of Collection; and such Return shall specify the Tenancy and Occupation in which each of such Houses, Lands, or Tenements may be or have been held, and the Use or Purpose to which applied, and shall describe the Situation thereof as fully and accurately as may be possible; and in case any High Constable or Collector shall neglect to make such Return as aforesaid, or make the same in an improper or insufficient Manner, it shall not be lawful to or for the Grand Jury of the County for which he may act to present any Fee or Salary for such High Constable or other Collector at the Assizes next ensuing such Neglect or Default.

Commissioner and Valuators may enter any Land, Houses, Gardens, &c. in execution of this Act.

XVII. And be it enacted, That it shall and may be lawful for any Commissioner appointed or continued under this Act, and for any Valuator or Valuators appointed under this Act, from Time to Time to enter into and upon any Land or House for the Purpose of making and carrying on any Valuation authorized by this Act: Provided always, that in every Case in which it shall be necessary for any such Commissioner or Valuator to enter any House, or any walled Garden or Orchard or Pleasure Ground, and when the Owner or Occupier thereof may oppose or refuse to allow such Entry, such Commissioner or Valuator shall give Three Days Notice to the Owner or Occupier of such House, Garden, Orchard, or Pleasure Ground, requiring to be permitted to enter the same; and at any reasonable Time after the Delivery of such Notice it shall be lawful to make such Entry; such Commissioner and Valuators doing as little Damage as may be in the Execution of the Powers to them granted by this Act, and making reasonable Satisfaction (if required) to the Owners of and other Persons interested in any such Houses, Lands, Gardens, Orchards, or Pleasure Grounds which shall or may be any way hurt or damnified in or by the Execution of any of the Powers of this Act; and this Act shall be sufficient

to

to indemnify such Commissioner and Valuators and all Persons acting in aid or under the Orders of any of them in the Execution of this Act.

Valuators shall enter Valuation of each Parish in a separate Field Book, and transmit the same to the Commissioner of Valuation.

XVIII. And be it enacted, That the said Valuator shall enter the Particulars of the Valuation of each and every Parish, and of each and every Townland within the same, when and as each such Valuation shall be completed, in a separate and distinct Field Book, to be appropriated to each and every such Parish respectively, and to be distinguished and entitled as the Survey and Field Book of each such particular Parish respectively, distinguishing the Barony in which such Parish shall be situate, and also distinguishing the several Townlands within such Parish, and the Value of each thereof respectively; and such Valuators shall sign every such Book with their several Names, in their several and respective Handwritings, with the Date of completing such Valuation; and such Valuators shall transmit or deliver every such Field Book of every such Parish, so signed, to the Commissioner of Valuation for the County in which every such Parish shall be situate.

Commissioner shall make out from such Field Books a List of the Parishes, Townlands, &c., and their Contents and Valuation, and transmit it to the High Constable, with Notice of the Day of Appeal.

XIX. And be it enacted, That when and so soon as the Valuation of all the Parishes within any Barony shall be completed, the Commissioner of Valuation shall prepare and make out from such Field Books as aforesaid a List or Table of the several Parishes within such Barony, and of the Townlands within every such Parish respectively, distinguishing the Number of Acres contained in every Townland within such Parish, and the total Value of the Land and Houses in every such Parish respectively, according to the Survey thereof and of the Valuation thereof made in pursuance of the Directions of this Act; and such Commissioner of Valuation shall transmit printed Copies of such List, in the Form set forth in the Schedule Number One annexed to this Act, to the High Constable or other Collector of the County Cess or Grand Jury Rate in or for the Barony, and shall at the Foot of such List specify the Day and Place appointed by such Commissioner of Valuation for the Meeting of the Committee of Appeal, and which Day shall not be sooner than Six Weeks after the Day of the Transmission of such List to such High Constable.

High Constable shall send Copies to Churchwardens of each Parish, who shall post them on Church Doors, &c.

XX. And be it enacted, That every High Constable or Collector to whom any such List shall be transmitted as aforesaid shall transmit Copies of each such List to the Churchwardens or Churchwarden of every Parish within such Barony; and every such Churchwarden within Ten Days after the Receipt of such List shall post and affix a Copy thereof on the principal outer Door of the Church, and of any One Roman Catholic Chapel, and of any One Presbyterian Meeting House within such Parish, there to remain affixed for Two successive *Sundays* after the affixing thereof; and if any such Copy of any such List shall be removed from the Church or other Place where the same shall have been posted or affixed as aforesaid, or shall be destroyed or defaced at any Time within Fourteen Days after the affixing the same, the Churchwardens or Churchwarden shall post and affix, or cause to be posted and affixed, a new Copy of every such List on the Door of such Church, Chapel, or Meeting House respectively, and

and so from Time to Time when any such Copy shall be so destroyed or defaced.

Churchwardens shall call a Vestry to consider the Lists, and the Necessity of appealing against them.

XXI. And be it enacted, That within Ten Days next after the Receipt of the Copy of any such List as aforesaid public Notice shall be given by the Churchwardens or Churchwarden in the usual Manner of Notices given for holding Vestries in such Parish, that a Select Vestry will be holden in and for such Parish on some Day to be named in such Notice, not being less than Ten Days nor more than Fourteen Days from the *Sunday* on which any such List shall have been first affixed on the Door of the Church and other Place or Places of Public Worship in such Parish, for the Purpose of taking such List into consideration, and to determine on the Necessity or Propriety of appealing against such List; and such Vestry so assembled shall proceed to take such List into consideration, and may adjourn from Time to Time to any Day not more than Ten Days distant from the first Day of Meeting.

Select Vestry shall consist of Persons having paid 20*s.* per Annum to County Cess, or being Justices of the Peace, or Freeholders of 20*l.* or upwards.

XXII. And be it enacted, That no Person shall be admitted or entitled to attend or to vote at any such Select Vestry to be holden for the Purposes last aforesaid, except such Persons as are hereafter described, (that is to say) such Persons as shall have actually paid and satisfied County Cess Charges or Grand Jury Rates for Lands or Tenements in such Parish to the Amount of Twenty Shillings within Twelve Calendar Months next preceding the Day of holding any such Vestry, and Persons who shall be Justices of the Peace, qualified to act as such within such Parish, and Persons seised respectively of Freehold Estate, situate within such Parish, of the Value of Twenty Pounds or upwards, (not arising from a Rent-charge,) and duly registered as such under any Act or Acts in force relating to the Election of Members of Parliament in *Ireland*, and of which Registry such Persons shall produce a Certificate signed by the Clerk of the Peace; and if any Person shall attend or vote, or shall claim or offer to attend or vote, at any such Select Vestry, not being qualified in such Manner as is herein-before stated, every such Person shall for every such Offence forfeit the Sum of Ten Pounds.

If Vestry agree to appeal for the Parish or for any Townland, a Memorandum thereof and of the Grounds of Appeal shall be sent to the Commissioner of Valuation.

XXIII. And be it enacted, That if on the First Day of the Meeting of such Vestry, or at any adjourned Meeting of such Vestry which shall be held on any Day not more than Ten Days distant from such First Day of Meeting, it shall be determined that an Appeal shall be made against any Valuation contained in such List in respect of the Valuation of the whole of such Parish as compared with any other Parish within the Barony, or if it shall appear to such Vestry that the Owners or Occupiers of the greater Portion in Extent and Value of Lands situate in any Townland within the Parish in which such Vestry shall be held shall be desirous of appealing against the Valuation of any such Townland as compared with that of any other Townland or Townlands within the said Barony, it shall be lawful for such Vestry to direct that such Appeal shall be made by such Vestry on behalf of such Parish, or by certain Persons to be named at such Vestry on behalf of the Owners or Occupiers of Land within any such Townland as aforesaid; and a Memorandum of the Agree-

ment to make such Appeal, or some Minute or Entry of the same, and of the Grounds of such Appeal, shall be stated in Writing, and shall be entered in the Books of such Vestry, or in some Book to be kept for that Purpose, and shall be signed by the Chairman of such Vestry and Four other Persons present at such Vestry; and a Copy of the Memorandum of such Agreement and the Grounds of such Appeal shall be transmitted by the Chairman of such Vestry within Two Days after such Meeting to the Commissioner of Valuation for the County in which such Parish shall be situate, and shall be held to be sufficient Notice on the Part of such Parish or Townland of their Intention to appeal.

Appeal may be made against Exemption or Non-exemption.

XXIV. And be it enacted, That it shall and may be lawful for any Select Vestry to appeal against any Valuation contained in any Table or List, or against the Formation of any Table or List prepared under Authority of this Act, on the Ground of any Houses, Lands, or Tenements having been improperly considered as of a public or charitable Nature, and distinguished or deducted from any List or Valuation accordingly, whether such Houses, Lands, or Tenements be situate in the Parish wherein such Vestry may be holden, or in any other Parish of the same Barony; and that such Appeal shall be determined upon, and a Memorandum of the Agreement so to appeal made, and like Notice thereof given, as in case of Appeal on any Ground whereupon it may be lawful to appeal by virtue of the Provisions of this Act.

How to proceed where there shall be no Churchwarden.

XXV. And be it enacted, That in any Parish or Place in which there may be no Churchwarden or Churchwardens, the High Constable shall transmit Copies of the Valuation List to some Two Landholders resident within such Parish or Division, who shall post the same in like Manner as the Churchwardens of any Parish have been herein-before required to do, and shall summon a Special Vestry to meet for the Consideration of such List, at some convenient Time and Place within such Parish or Place, and notify the Time and Place appointed for the Meeting of such Vestry by Notices to be posted in like Manner as the said Lists are herein-before directed to be posted; and the Special Vestry so summoned shall have all such Power and Authorities in respect of such Lists, and appealing against the same or any Part thereof, and shall be constituted in like Manner and subject to the like Rules and Regulations, as any Special Vestry summoned by any Churchwardens for the Purposes of this Act.

Notice by Commissioner to Secretary of Grand Jury, and by Secretary of Grand Jury to Committee of Appeal, of Day and Time ap-

XXVI. And be it enacted, That the Commissioner of Valuation by whom such List of the Valuations of the several Parishes and Townlands in any Barony of any County shall be transmitted to the High Constable or Collector, as by this Act is required, containing such Notice of the Day and Place appointed by such Commissioner for the hearing Appeals against any Valuation specified in such List, shall, within Seven Days next after the transmitting such List to such High Constable or Collector, give and transmit Notice in Writing to the Secretary of the Grand Jury of such County of the Day and Place so appointed for the hearing of such Appeals;

pointed for hearing Appeals.

and such Secretary of the Grand Jury shall give Notice of the Day and Place so appointed for the hearing of such Appeals by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury, in pursuance of this Act, to be the Committee of Appeal against Valuations in and for such Barony; and such Secretary of the Grand Jury shall also give Notice of such Day and Place of Meeting, by an Advertisement to be inserted in some public Newspaper usually circulated in such County, in some Publication of such Newspaper Fourteen Days at least before the Day appointed for such Meeting.

Meeting of Committee of Appeal.

XXVII. And be it enacted, That it shall be lawful for such Committee of Appeal to assemble, at the Day and Place appointed, for the hearing of all Appeals of which such Notice shall have been given as aforesaid, and that such Place shall be the usual Place of holding Sessions of the Peace within the Barony, unless some other Place shall be specially appointed in the Notice for the Sitting of such Committee of Appeal and for the hearing such Appeals; and it shall be lawful for such Committee of Appeal to adjourn from Time to Time as they shall see fitting and convenient.

Field Books shall be produced before Committee of Appeal; who may summon Witnesses;

XXVIII. And be it enacted, That the Commissioner of Valuation shall produce or cause to be produced before such Committee of Appeal all or any of the Field Books which shall have been transmitted to such Commissioner from the Valuators of any Parish, in case the same shall be required by such Committee; and it shall be lawful for such Committee of Appeal to send their Precept or Precepts, under their Hands and Seals, or the Hands and Seals of any Two of them, or under the Hand and Seal of the Commissioner of Valuation, or, in his Absence, of the Assessor to be appointed as aforesaid, to any Person or Persons whomsoever, to attend and appear and be examined before such Committee of Appeal; and all and every Person or Persons who shall be called upon or summoned by any such Precept shall and they and he are and is hereby required and directed to attend such Committee of Appeal at such Time and Times and Place and Places as shall be appointed; and it shall be lawful for such Committee of Appeal, or any Member thereof, and they and he is and are hereby authorized and empowered, to examine any such Person or Persons upon Oath (or Affirmation in the Case of Quakers), and such Committee, or any Member thereof, (Three or more of the Members of such Committee being present,) shall and may and are and is hereby authorized and empowered to administer such Oath or Affirmation to any Person or Persons respectively; and all and every such Persons or Person shall answer upon Oath or Affirmation as aforesaid to all Questions which shall be put to them by such Committee, or any Member thereof; and if any Person or Persons shall, upon his, her, or their Examination before such Committee, wilfully and corruptly give false Evidence, every such Person so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect in *Ireland* Persons guilty of Perjury are subject and liable to.

and examine them on Oath.

Penalty for Perjury.

XXIX. And

Committee of Appeal may direct Re-valuation, or amend or confirm the original Valuation.

XXIX. And be it enacted, That if upon the hearing of such Appeal it shall appear to such Committee of Appeal that there is any just Cause of Complaint against such Valuation, or any Part thereof, either by reason of the Disproportion of the Valuation of any Parish or Townland as compared with the Valuation of any other Parish or Townland, or by reason of the Valuation not having been made with reference to the Standards fixed for such Valuation by this Act, or on any other Account whatsoever, it shall be lawful for such Committee of Appeal, if they shall think fit, to alter or amend such Valuation, or if they shall consider a new Valuation to be necessary, to direct that a new Valuation shall be made of any Parish or Townland or Parishes or Townlands contained in such Valuation, by some Valuator or Valuators, not being the same who were employed or engaged in making the Valuation appealed against; and such Committee shall order that such new Valuation shall be made and produced before such Committee on a Day to be appointed for that Purpose by the said Committee, to which Day it shall be lawful for such Committee of Appeal to adjourn accordingly; and at such adjourned Meeting of such Committee of Appeal it shall be lawful for the said Committee of Appeal, and they are hereby authorized and required, to compare such new Valuation with the former Valuation of the same Parish or Townland or Parishes or Townlands appearing in the Field Books made on the first Valuation thereof respectively, and to make such Alterations or Amendments in the Amount of such first Valuation, or otherwise to confirm the same, in such Manner as to such Committee of Appeal shall appear to be consistent with the Justice of the Case.

Costs by Parishes on Appeal may be ascertained by Committee, and levied as other Parish Rates.

XXX. And be it enacted, That it shall be lawful for such Committee of Appeal to ascertain and allow the Amount of any Costs incurred by or on behalf of any Parish in the bringing and hearing of any such Appeal; and the Amount of all such Costs so ascertained and allowed shall be assessed and applotted by the Churchwardens or Churchwarden of such Parish, either on the Inhabitants of the Whole of such Parish, or on the Inhabitants of any Townland or Townlands within such Parish in respect of which such Appeal shall have been made, and shall be levied on such Inhabitants in like Manner and in such Proportions as any Assessment or Applotment on any such Inhabitants in respect of any Church Rates or other Parish Charges may be assessed, applotted, and levied.

Where no Appeal, Valuation conclusive.

Decision of Committee of Appeal conclusive, if Commissioner or Assessor assent, otherwise to be subject to Review of Committee of Revision.

XXXI. And be it further enacted, That where no Appeal shall have been made to such Committee of Appeal against any such Valuation within the Time directed by this Act, such Valuation, as stated in the List prepared by the Commissioner of Valuation under the Directions of this Act, shall be conclusive; and that, in case of Appeal, the Decision of such Committee of Appeal shall be conclusive in all Cases where such Decision shall be concurred in and approved of by the Commissioner of Valuation, or, in his Absence, by the Assessor to be appointed as aforesaid, and sitting as Chairman of such Committee of Appeal: Provided always, that in case it shall happen that such Commissioner of Valuation or Assessor respectively, sitting as such Chairman as aforesaid, shall disagree from the Decision

sion of such Committee of Appeal, it shall and may be lawful for such Commissioner or Assessor to submit such Decision to the Committee of Revision for such County, at the Time when the Valuation of all the Baronies within the County shall be submitted to the Review of such Committee of Revision in manner herein-after mentioned; but until the Decision of such Committee of Revision shall have been obtained, the Valuation determined on by the Majority of the Committee of Appeal shall be acted on in the same Manner as if such Appeal to the Committee of Revision had not been made by the Commissioner of Valuation or his Assessor.

Committee of Appeal may in certain Cases direct a new Valuation to be made, although no Appeal shall have been lodged in respect thereof.

XXXII. Provided, and be it enacted, That where an Appeal shall have been made to any Committee of Appeal, under the Provisions of this Act, by or on behalf of any Parish, or the Owners or Occupiers of Land within any Townland of any Parish, against the Valuation or any Part of the Valuation of the same or of any other Parish or Townland or Townlands within the same Barony, and it shall appear to such Committee of Appeal that just Cause has been shown to warrant such Committee to direct that a new Valuation shall be made of any such Parish or Parishes, Townland or Townlands, in respect of or on behalf whereof such Appeal may have been made, then and in such Case it shall and may be lawful for the said Committee of Appeal, with the Consent of the Commissioner of Valuation for such County, or of his Assessor, to direct that a new Valuation shall in like Manner be made of any other Parish or Parishes, Townland or Townlands, within the same Barony, the Valuation whereof shall appear to the said Committee to have been defective or erroneous in the same respects or to which the same Ground of Appeal may appear justly applicable, although no such Appeal shall have been made in respect of or on behalf of such other Parish or Parishes, Townland or Townlands.

When the Valuation of any Barony has been made and decided on, a List of the several Parishes and the Divisions of Land within them shall be prepared and published.

During the Period herein described, all County Cess, &c. shall be levied according to the Proportions therein specified;

XXXIII. And be it enacted, That when and as the Valuation of any Barony within a County shall have been made by such Valuators, and transmitted to the Commissioner of Valuation and decided on by the Committee of Appeal, the said Commissioner of Valuation shall prepare and make out, in the Form of the Schedule (No. 1.) to this Act annexed, a List or Table of the several Parishes within such Barony, and of the several Townlands within each such Parish, distinguishing the Number of Acres contained in every such Parish and Townland, and the Value of the Lands and Houses in each such Parish or Townland respectively, according to the Survey and Valuation thereof so decided upon; and each such List or Table shall be signed by the said Commissioner of Valuation or his Assessor and Three Members of the said Committee of Appeal, and shall be transmitted, so signed, to the Chief Secretary of the said Lord Lieutenant, and a Copy thereof shall be published in some Newspaper circulated in the County to which such Valuation shall relate; and from and after the End of the Assizes next ensuing the Day of such Publication, and until the End of the Assizes next ensuing the Day on which the List and Valuation of all the Baronies within the same County, as completed and agreed on by the first or preliminary Committee of Revision appointed under the Provisions of this Act, shall have been published,

but no longer, all Grand Jury Rates, and the usual and accustomed Proportion of all County Cess Charges whatsoever, imposed or to be imposed on such Barony by Presentments of the Grand Jury, or to be raised off such Barony or any Parish and Division thereof, and all Parish Rates imposed or to be imposed or levied off any Parish or Townland of such Barony, under the Authority of any Law or Statute, shall be assessed and levied off such Barony, and off every Parish and Townland therein, according to the Proportions specified in such List and Valuation so signed and published as herein-before directed.

But not to affect the relative Proportion borne by such Barony.

XXXIV. Provided always, and be it enacted, That the Publication of the List and Valuation of any Barony, by Order of the Committee of Appeal under the Provisions of this Act, shall not alter or affect the relative Proportion of County Cess or Charges which by any Laws or Usage may be or have been borne by such Barony as compared with any other Barony or Baronies.

When Valuation of Barony is completed, Commissioner to lodge a Copy of Field Book and a Field Map, in Office of Treasurer of County, for public Inspection.

XXXV. And be it enacted, That when and so soon as the Valuation of all the Parishes within any Barony shall be completed, the Commissioner of Valuation shall make out a Copy of the Field Book of each Parish, and shall make out a Field Map showing the several Portions of Land which may have been separately valued, and distinguishing and numbering the same so as to correspond with the said Field Book; and the said Commissioner shall deliver such Copy of the Field Books and Maps, attested by his Signature, to the Treasurer of the County, who shall keep the same in his Office, there to remain open to public Inspection; and any Owner or Occupier of Land within such Parish shall be at liberty to make Copies or Extracts therefrom without Fee or Reward.

When Valuations of all the Baronies in any County are completed, Commissioner shall send List thereof to Secretary of Grand Jury, who shall summon the Committee of Revision.

XXXVI. And be it enacted, That when and so soon as the Valuation of all the Baronies within any County shall have been made by such Valuators as aforesaid, and transmitted to the Commissioner of Valuation, and decided on by such Committee of Appeal, the said Commissioner shall prepare and make out a List or Table, in the Form contained in Schedule (No. 2.) to this Act annexed, of all the several Baronies within such County, specifying the Number of Acres within each such Barony according to the Survey made thereof by the Officers of Ordnance, and the total Value of the Land and Houses in such Barony according to the Valuation thereof by such Valuators pursuant to the Directions of this Act, and shall transmit a Copy of such List or Table, signed by such Commissioner, and dated on the Day of the Transmission thereof, to the Secretary of the Grand Jury of such County, and shall at the Foot of the Copy of such List specify the Day appointed by such Commissioner of Valuation for the Meeting of the first or preliminary Committee of Revision of the said County at the County Court House of the said County, for the Revision of the Valuation of the said Baronies, which Day shall not be sooner than Eight Weeks next after the Date of the Copy of such List signed by such Commissioner; and such Secretary of the Grand Jury shall give Notice of the Day and Place appointed for the Revision of such

List, by Letters addressed to each and every of the Persons who shall have been nominated and appointed by the Grand Jury in pursuance of this Act to be the Committee of Revision for such County; and such Secretary of the Grand Jury shall also give Notice of such Day and Place of Meeting of such Committee of Revision, by an Advertisement to be inserted in some public Newspaper usually circulated in such County, in some Publication of such Newspaper Six Weeks at least before the Day appointed for such Meeting.

Committee of Revision may examine Valuations of Baronies in Field Books, and amend the same so as to make them just and proportionate with each other.

XXXVII. And be it enacted, That at the Day appointed for the Meeting of such Committee of Revision the Members of such Committee of Revision, together with the Commissioner of Valuation, or his Assessor, shall meet together in the Court House of such County, and shall there proceed to inquire and consider and determine whether the several Baronies of the said County have been equally and properly valued, pursuant to the Directions of this Act, with reference to the Standards fixed for such Valuation by this Act, and also with reference to the respective Valuations of the several Baronies as compared with each other; and the said Commissioner of Valuation shall produce or cause to be produced before the said Committee of Revision, if they shall require the same, all the Field Books containing the Valuation of the several Parishes within the several Baronies of the said County, and such Field Books shall and may be consulted, perused, and examined by the said Committee of Revision, or any Member thereof; and if upon such Examination or otherwise it shall appear to such Committee of Revision that any excessive or defective Valuation has been made of any Barony, or that the Standard required by this Act has not been adhered to in such Valuation, or on any other Account whatsoever, it shall be lawful for such Committee of Revision to correct any Errors which may appear to them upon Examination and Inquiry to have been made in such Valuations, so as to make the Valuation of the respective Baronies just and equal and in due Proportion with each other; and it shall be lawful for such Committee of Revision to adjourn from Time to Time as they shall see fitting and convenient.

Committee of Revision may alter the Valuation of any Division of a Barony, as well as of the whole Barony.

XXXVIII. And be it enacted, That when any such Committee of Revision shall think fit to alter the Amount of the Valuation of any Barony, as compared with any other Barony, it shall and may be lawful for them to alter the Amount of the Valuation of any Parish or Parishes, Townland or Townlands of such Barony, in such Manner and to such Extent as the said Committee shall think just with regard to the Reason or Principle on which the gross Amount of the Valuation of such Barony may have been altered by them.

Fractions of a Pound may be rejected from the Valuation of the whole Barony, &c.

XXXIX. And be it enacted, That all fractional Parts of a Pound Sterling may be rejected from the total Value of any Barony, Parish, Manor, or other Denomination, as stated in any List and Valuation prepared under Authority of the said recited Acts or this Act, for the Purpose of computing the Proportions in which the same shall be respectively rated.

XL. And

When Committee of Revision have come to a Decision the List to be signed and a Copy published.

XL. And be it enacted, That when the Committee of Revision shall have come to a Decision the List of the several Baronies and the Valuation thereof, as confirmed or amended, shall be signed by the Commissioner of Valuation or by the Assessor, and by Three at least of the Members of the said Committee of Revision appointed by the Grand Jury, and a Copy thereof, according to the Form (No. 3.) of the Schedule to this Act annexed, or in such other Form as shall be approved of by the Judge and Grand Jury at any Assizes to be holden for such County, shall be published in some public Newspaper circulated in the County to which such List and Valuation shall relate; and from and after the End of the Assizes next ensuing the Day on which such List and Valuation so signed shall be published as aforesaid, all County Cess and Charges whatsoever, and all Grand Jury Rates, imposed or to be imposed on any such County by Presentments of the Grand Jury, or to be raised off such County, or any Barony, Parish, or Townland thereof, and all Parish Rates imposed or to be imposed or levied or to be levied under the Authority of any Act or Acts of Parliament, shall be assessed and levied off such County, and off every Barony, Parish, or Townlands therein, according to the Proportions specified in such List and Valuation so published, until and unless the same shall be revised or altered by a Committee of Revision re-assembled as herein-after provided, and no longer.

After the End of the Assizes next ensuing the Publication of the Valuation all Charges and Rates shall be levied according to the Proportions of that Valuation.

At some Assizes within Three Years after Publication of such List and Valuation Grand Jury to fix a Time for Re-assembly of Committee of Revision to finally amend and settle Valuations.

XLI. And be it enacted, That at some Assizes within Three Years next after the Publication of such List and Valuation of all the Baronies of each County the Grand Jury shall nominate and appoint a Time for the Re-assembly of the Committee of Revision of such County, and the Secretary of the Grand Jury shall give Notice of the Time appointed for such Re-assembly of the Committee of Revision in like Manner as he is required to give Notice of the First Meeting of such Committee; and at the Time so appointed the Members of such Committee of Revision, together with the Commissioner of Valuation or his Assessor, shall meet in the Court House of such County, and shall there and then inquire into and determine all such Complaints as shall be made against the said Valuation or any Part thereof; and it shall be lawful for the said Committee to revise and amend such Valuation as to them may seem just, or to direct a new Valuation when the same shall appear necessary, and to adjourn from Time to Time; and the Valuation, as confirmed or amended and finally agreed on by such Committee, shall be in the Place and Stead of the former Valuation so published, and of like Force and Effect: Provided always, that Notice in Writing of any Complaint which it is intended to prefer to the said Committee so re-assembled shall be given to the Commissioner of Valuation of such County or to the Secretary of the Grand Jury, who shall forward the same to the said Commissioner, at least Thirty-one Days before the Time appointed for the re-assembling of such Committee; and that such Notice shall be subscribed by at least Two Persons each paying Grand Jury Cess to the Amount of Forty Shillings, or by at least Two Persons having each a Freehold or Leasehold Estate in Lands or Tenements of the annual

Notice of Complaints intended to be preferred thereat to be given by Two Persons at least Thirty-one Days previously.

annual Value of Twenty Pounds or upwards and situate in such County.

List and Valuation of the Baronies, when finally settled by Committee of Revision, shall be published in the Dublin Gazette.

XLII. And be it enacted, That when the Committee of Revision so re-assembled shall have come to a final Decision the List of the several Baronies, and the Valuation thereof as confirmed or amended and finally agreed on by such Committee of Revision so re-assembled, shall be signed by the Commissioner of Valuation or by the Assessor and by Three at least of the Members of such Committee of Revision; and a Copy thereof, according to the Form contained in No. 3. of the Schedule to this Act annexed, or in such other Form as shall be approved by the Judge and Grand Jury at any Assizes to be holden for such County, shall be transmitted to the Chief Secretary of the Lord Lieutenant, and he shall cause the same to be published in the *Dublin Gazette* within Thirty-one Days next after he shall have received such List so signed by such Commissioner and Committee or Three Members thereof; and the Secretary to the Grand Jury shall also cause such List to be published in some public Newspaper circulated in the County to which such List and Valuation shall relate; and the several Field Books and other Documents shall be transmitted by the Commissioner of Valuation to the Office of the Chief Secretary to the Lord Lieutenant of *Ireland* in *Dublin Castle*, to be there arranged and kept as may be most for Convenience and Security; and a Copy of such Field Books shall be furnished by such Commissioner of Valuation to the Treasurer of the County.

After such Publication all County Cess shall be levied according to the Sums and Proportions in such Valuation.

XLIII. And be it enacted, That from and after the End of the Assizes next ensuing the Day on which such List and Valuation so signed and settled by the said Committee of Revision so re-assembled as aforesaid shall be published in the *Dublin Gazette*, all County Cess Charges whatsoever and all Grand Jury Rates imposed or to be imposed on such County by Presentments of the Grand Jury, or to be raised off such County, or any Barony, Parish, or Townland thereof, and all Parish Rates imposed or to be imposed or levied or to be levied under the Authority of any Act or Acts of Parliament, shall be assessed and levied off such County, and off every Barony, Parish, or Townland therein, according to the Proportions specified in such List and Valuation so published, and not otherwise; any Law, Usage, or Custom, or any former Assessment or Valuation, to the contrary in anywise notwithstanding.

Treasurer to furnish Copies of Field Books and Maps to Persons requiring same for Applotment of Grand Jury Cess.

XLIV. And be it enacted, That the Treasurer of each County shall furnish Copies of such Field Books, as and when the Valuation therein contained shall have been confirmed or amended and finally agreed on by the said Committees of Appeal and Revision respectively of such County in manner by this Act provided, and of such Field Maps, marked and numbered to correspond with such Field Books, to any Person or Persons requiring the same for the Applotment of Grand Jury Cess, and such Copies shall be prepared under such Regulations as the Grand Jury of such County shall fix and determine; and they shall present, to be raised off the Townland or other Denomination of Land to which such Copies shall relate,

the Expence of making the same: Provided always, that such Field Books and Field Maps shall not be conclusive in respect to such Applotment, but that such Applotment shall be varied from Time to Time when and as to the Applotters may seem just and necessary with regard to the Value of the Lands and Premises subject to such Applotment at the Time of making the same.

Such Field Books and Maps not to be conclusive in respect to such Applotment.

XLV. And be it enacted, That it shall and may be lawful for the Lord Lieutenant to order and direct that a Salary, at the Rate of not more than Five hundred Pounds by the Year, shall and may be paid to any Person who shall be appointed Commissioner of Valuation, and to each and every Person who shall be continued as a Commissioner of Valuation under the Authority of this Act, during the Time he shall be so employed.

Salary to Commissioners of Valuation.

XLVI. And whereas it is expedient, for the more complete Uniformity of the said Valuation, that the same should be carried on under the Control and Direction of a single Commissioner of Valuation, and the Salary of Five hundred Pounds *per Annum* is an insufficient Remuneration for a Person appointed to act as such Commissioner in many Counties; be it therefore enacted, That in addition to the said Salary of Five hundred Pounds *per Annum* it shall and may be lawful for the said Lord Lieutenant, at his Discretion, to order and direct such Allowance for travelling and other Expences, not exceeding One Guinea *per* Day for every Day during which such Commissioner shall be engaged in the Business of such Valuation, as to the said Lord Lieutenant shall seem proper; and that every Valuator or other Person who shall be appointed under the Authority of this Act shall receive and be entitled to receive for his Trouble any Sum of Money or Allowance not exceeding the Rate of Twenty Shillings for every Day during which any and every such Person shall be employed by or engaged under the Orders of such Commissioner of Valuation, upon a Certificate, to be signed by such Commissioner, that such Person was so employed for the Number of Days to be stated in such Certificate, and that such Person diligently conducted himself in the Execution of this Act in a Manner satisfactory to such Commissioner.

Lord Lieutenant may order an Allowance for travelling Expences to Commissioner of Valuation in addition to his Salary.

XLVII. And be it enacted, That it shall be lawful for the Lord Lieutenant to order and direct that any such Sum or Sums of Money as he or they shall think proper shall from Time to Time be advanced out of the Produce of the Consolidated Fund of the United Kingdom, arising in *Ireland*, for the defraying the Salaries of the said several Commissioners of Valuation and the Allowances which shall be from Time to Time payable to the Persons employed in carrying this Act into execution; and all such Advances shall be made to such Persons, at such Times, in such Manner, and under such Rules and Regulations as shall from Time to Time be ordered and directed by such Lord Lieutenant, and as shall be signified in the usual Manner by the Chief Secretary, or in his Absence by the Under Secretary; and it shall be lawful for such Chief Secretary or Under Secretary to certify to the Grand Jury of any and every County within which any such Persons shall be employed the Amount of Money which

Lord Lieutenant may advance Money out of Consolidated Fund.

shall have been paid to the Commissioner of Valuation and to the several Persons employed within such County in the Execution of this Act out of the Advance authorized by this Act; and thereupon it shall and may be lawful for the Grand Jury of any and every such County respectively, and they are hereby authorized and required, to make Presentment of the Amount of such Expences as stated in such Certificate, to be raised off the County at large or the several Baronies therein in such Manner and in such Proportions as the Lord Lieutenant shall direct; and when and so soon as the Sum so to be presented as aforesaid shall be raised and received by the Treasurer of any County, such Treasurer shall pay over the same to such Bank or Person as the Lords Commissioners of the Treasury or any Three or more of them shall think fit to direct.

Sums paid to Commissioner and Valuators to be repaid by Presentment.

Construction of Terms.

XLVIII. And be it enacted, That in the Construction of this Act the Words "Lord Lieutenant" shall be understood to mean Lord Lieutenant or other Chief Governor or Governors of *Ireland*; the Word "Inhabitant" to include every one rated to the Grand Jury Cess; and that all Provisions and Directions in this Act contained relating to Counties shall extend to all Counties, Counties of Cities, Counties of Towns, and Towns Corporate in *Ireland*, except such Parts of the County of *Dublin* or the County of the City of *Dublin* as lie within the Circular Road of the said City, and which are comprised in the Valuation made under Authority of an Act passed in the Fifth Year of His late Majesty's Reign, intituled *An Act to provide for valuing the Houses situate in and near the City of* Dublin, *and for the more equal Payment of the local Taxes there*; and that all the Acts and Duties by this Act required to be performed by the several Grand Juries at the Assizes for any County shall and may, in the County of *Dublin* or the County of the City of *Dublin*, be performed at the Presenting Terms by the Grand Juries duly met and impannelled; and that all Provisions and Directions relating to Baronies shall extend to Half Baronies and to all other Divisions of Counties being greater than Parishes; and that all Provisions and Directions relating to Parishes shall extend to all Chapelries or Divisions of Parishes or Extra-parochial Divisions, and to all Unions of Parishes, as if the same were One Parish, in Cases where any such Union or Division shall be rateable as One Parish; and that all Provisions and Directions relating to Townlands shall extend to all Divisions and Sub-denominations of Lands less than and being comprised within any Parish; and that where any Parish or Union shall be situate in more than One County or Barony, or partly in a County and partly in a County of a City, County of a Town, or Town Corporate, the several Parts of such Parish shall be valued as a distinct Parish in the several Baronies or Counties, or Counties of Cities or Counties of Towns, or Towns Corporate, to which they shall contribute to the Payment of any County Cess Charges or Grand Jury Rate.

5 G. 4. c. cxviii.

Commissioner of Valuation to transmit Statements of Progress.

XLIX. And be it enacted, That Ten Days previously to the Commencement of each Assizes the Commissioner of Valuation shall transmit to the Secretary of any Grand Jury of any County which shall be in the course of Valuation a Statement of the Progress made

in such Valuation, together with the Amount of the Expenditure on the same, up to the Period when such Return shall be made.

Penalty on High Constable, Churchwarden, Commissioner, &c. neglecting their Duty in Execution of this Act.

L. And be it enacted, That if any High Constable or other Collector of County Cess or Grand Jury Rates, or any Churchwarden of any Parish, or any Landholder hereby required to act in lieu and stead of a Churchwarden, or any Commissioner of Valuation or any Valuator appointed by such Commissioner, or any Secretary of the Grand Jury, shall omit or neglect or refuse to do any Matter or Thing which such High Constable or Collector, Churchwarden, Landholder, Commissioner, Valuator, or Clerk of the Peace are by this Act required and directed to do in the Execution of this Act, in manner required by this Act, every Person so offending shall forfeit a Sum not exceeding Twenty Pounds and not less than Five Pounds, in the Discretion of the Justices before whom such Offender shall be convicted.

When the Boundary Surveyors, &c. shall find any detached Portion of any one County situate within or surrounded by other Counties, &c. they shall report same to Lord Lieutenant in Council.

LI. And whereas there are divers detached or isolated Parcels of Land belonging to or forming Part of certain Counties in *Ireland*, but locally situate within or surrounded by other Counties; and in like Manner there are divers detached or isolated Parcels of Land belonging to or forming Part of certain Baronies, but locally situate within or surrounded by other Baronies: And whereas it is expedient, for the Purpose of the General Survey of *Ireland* now carrying on under the Direction of the Master General and Board of Ordnance, and for the Purpose of the Valuation consequent upon such Survey, that such detached or isolated Portions of Counties and Baronies should be comprised and included in the Counties and Baronies within which they may be respectively locally situate or whereto they may adjoin, so that each County and Barony in *Ireland* may respectively consist of one continuous Tract of Land; be it therefore enacted, That whenever the Surveyors or Persons appointed by the said Lord Lieutenant to ascertain and mark out the reputed Boundaries of each or any County, Barony, Half Barony, Parish, or other Division or Denomination of Land in *Ireland*, with a view to the more effectual Execution of the General Survey now in progress throughout *Ireland* under the Direction of Officers appointed by the Master General and Board of Ordnance, pursuant to the Provisions of an Act made in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to repeal an Act of the last Session of Parliament relative to the forming Tables of Manors, Parishes, and Townlands in* Ireland, *and to make Provision for ascertaining the Boundaries of the same*, shall find that there is any detached or isolated Portion of any one County locally situated within any other County, or between any Two other Counties, or surrounded by any other Counties, or that there is any detached or isolated Portion of any one Barony locally situated within any other Barony, or between any Two other Baronies, or surrounded by any other Baronies, the said Surveyors or Persons shall make a Report to the said Lord Lieutenant in Council, stating the Situation of each such detached or isolated Portion of a County or Barony and of the adjoining Counties or Baronies, and describing the same in a Plan or Map to be annexed

6 G. 4. c. 99.

to

Lord Lieutenant in Council shall order the Annexation of such detached Portions.

to such Report; and thereupon such Lord Lieutenant in Council shall make Order directing such detached or isolated Portion of a County or Barony to be annexed to and incorporated with the County or Barony wherein the same may be locally situate or by which it may be surrounded; or if such detached or isolated Portion of a County or Barony shall lie between Two or more Counties or Baronies, then and in such Case directing the same to be annexed to such of the said contiguous Counties or Baronies as he and they shall think proper.

What such Order of the Lord Lieutenant, &c. in Council shall contain.

LII. And be it enacted, That the said Lord Lieutenant in Council shall and may by such Order as aforesaid limit and determine the Purposes to which the Union and Annexation of such isolated or detached Portion of a County or Barony to such other County or Barony shall extend, and fix and declare from what Period the same shall take effect, and settle and adjust all such Matters in respect of the Right of voting at Elections of Members to serve in Parliament by Persons holding or occupying Houses, Lands, or Tenements in such County or Barony, and for the Alteration or Amendment of the Lists or Registers of Electors accordingly, and in respect of the Assessment, Applotment, and Levy of Grand Jury and other Rates and Assessments, and in respect of all other Matters and Things proper or necessary to be settled and adjusted in consequence of the Union or Annexation directed to be made by such Order; and the Order of the said Lord Lieutenant in Council shall be conclusive and binding in Law in respect of the said several Matters and Things therein contained; and every such Order shall be published in the *Dublin Gazette;* and a Copy or Copies of such Order, certified under the Hand of the Clerk of the said Council, shall be delivered to the said Surveyors or other Persons employed to ascertain and mark out the reputed Boundaries of each or any County, Barony, Half Barony, Townland, Parish, or other Denomination or Division of Land in *Ireland*, who shall mark out the Boundaries accordingly in pursuance to such Order; and a like Copy or Copies shall be transmitted to the Clerk of the Peace for each County to which such Order shall in any way relate, to be by him kept and preserved in his Office, and exhibited at all reasonable Hours to any Person or Persons who may desire to inspect the same, without Fee or Reward.

Order to be published in Dublin Gazette, and Copies thereof delivered to Surveyors and lodged with Clerks of the Peace for the Counties to which same shall relate.

Lord Lieutenant in Council empowered to make a Supplemental Order.

LIII. And be it enacted, That it shall be lawful for the said Lord Lieutenant in Council from Time to Time as Occasion may require to make any Supplemental Order or Orders for removing such Doubts or settling such Disputes as may arise in consequence of the Changes effected by virtue of the Provisions herein-before contained; and every such Supplemental Order shall be published and transmitted to the Clerk of the Peace, to be by him preserved and exhibited for Inspection in like Manner as herein-before provided in respect of any original Order; and every such Supplemental Order shall have the same Force and Effect as if it had formed Part of any original Order made under the Provisions of this Act.

LIV. And

LIV. And for the Correction of any Maps or Surveys already made or in progress, be it further enacted, That it shall and may be lawful for the said Lord Lieutenant to appoint the said Boundary Surveyor or Person, or any Surveyor or Person whom he shall think fit, to ascertain if there be any detached or isolated Portion of any one County locally situated within any other County, or between any Two other Counties, or surrounded by any other Counties, of which County or Counties the General Survey under the Direction of Officers appointed by the Master General and Board of Ordnance, or the Boundary Survey under the Provisions of the said recited Act of the Sixth Year of the Reign of His late Majesty, shall have been in progress or completed before the passing of this Act; and in like Manner to ascertain if there be any detached or isolated Portion of any one Barony locally situate within any other Barony, or between any Two other Baronies, or surrounded by any other Baronies, of which Barony or Baronies the said General Survey or Boundary Survey shall have been completed before the passing of this Act; and the said Surveyor or Person shall make a Report to the said Lord Lieutenant in Council, stating the Situation of each such detached or isolated Portion of a County or Barony, if any, and of the adjoining Counties or Baronies, and describing the same in a Map or Plan to be annexed to such Report; and thereupon such Lord Lieutenant in Council shall have Power and Authority to make such and the like Order or Supplemental Order in respect of any such detached or isolated Portion of a County or Barony so appearing in any Survey or Map completed before the passing of this Act as such Lord Lieutenant in Council has been herein-before enabled to make in Cases where such Survey or Map shall not have been begun or shall not have been completed previous to the passing of this Act; and such Order or Supplemental Order in the Case of any Map or Survey already completed shall be made and dealt with in the like Manner and be of the like Validity and Effect as any Order or Supplemental Order made in the Case where any such Map or Survey has not yet been made or completed; and the said Boundary Surveyor or Person shall amend any Map or Plan furnished by him to the Officers appointed by the Master General and Board of Ordnance in conformity with such Order directing the Amendment of such Map of Survey; and the said Officers shall in like Manner amend the General Survey Map in conformity with such amended Map or Plan, and pursuant to the Directions of the said Lord Lieutenant in Council.

Provision for Counties or Baronies of which the General or Boundary Survey shall have been completed before the passing of this Act.

LV. And be it enacted, That if any Person or Persons shall take away, or remove, or displace, or alter the Situation of any Boundary Stone, Post, or Mark, which shall be set up and placed for the Purposes of this Act, or shall wilfully deface, mutilate, break, or destroy any such Boundary Stone, Post, or Mark, or shall wilfully obstruct or hinder any Surveyor in the Execution of his Duty in and about the ascertaining and marking out the Boundaries of any detached or isolated Portion of any County or Barony as aforesaid, or shall assault any such Surveyor, or shall in any way resist such Surveyor in the Performance of his Duty under this Act, or shall obstruct, hinder, assault, or resist any Workman or other Person acting in aid of any

Penalty on Persons displacing Marks, &c. or obstructing Surveyors, &c.

such Surveyor in the Execution of this Act, every Person or Persons so offending and being duly convicted thereof shall forfeit and pay a Sum not exceeding Ten Pounds and not less than Two Pounds, in the Discretion of the Justices before whom he or they shall be so convicted.

No Order to affect the Boundaries of Land with respect to any Right or Interest therein, or any Proceedings in Law or Equity instituted previous thereto;

nor any Description in any Deed.

LVI. Provided always, and be it enacted, That no Order made in pursuance of this Act shall in any way affect the Boundary or Boundaries of any Land with reference to any Right, Title, Claim, Possession, or Interest therein; nor shall the Description or Denomination in any Pleadings or Proceedings, Criminal or Civil, in any Court of Law or Equity, pending or instituted previous to the Time limited for such Order taking effect, be in any way vitiated or affected thereby; and that in the Case of any Suit or Proceeding, Civil or Criminal, pending or instituted previous to the Time assigned in and by such Order for the same taking effect, such Suit or Proceeding shall and may be continued as if no such Order had been made, and without regard thereto; and the said Order shall, in respect of such Suit or Proceeding, and any and every Matter relating thereto, be void and of none effect; and that wherever, in any Deed or Instrument made previous to the Time appointed for such Order taking effect, such isolated or detached Portion of a County or Barony, or any Place in such isolated or detached Portion, shall have been described or denominated by the Name of the County or Barony to which the same may have originally belonged, such isolated or detached Portion or Place therein shall be deemed and taken to have been described or denominated by the Name of the County or Barony to which it shall be by such Order united, as if such last-mentioned County or Barony had been named in such Deed or Instrument instead of such County or Barony to which the same originally belonged; and such isolated or detached Portion or Place shall and may, in all Suits and Proceedings at Law or Equity at any Time afterwards instituted, be described and denominated as belonging to such County or Barony to which it shall be so united by such Order.

Penalties may be recovered before Two Justices of the Peace.

LVII. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any Two Justices of the Peace for the County or Place in which such Penalty shall be incurred, upon Complaint to them for that Purpose exhibited, and shall afterwards be levied, as well as the Costs of such Proceedings, in case of Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justices; and such Justices are hereby authorized and required to summon before them any Witness or Witnesses, and to examine such Witness or Witnesses upon Oath (or Affirmation) of and concerning such Offences, Matters, or Thing, and to hear and determine the same; and the Overplus (if any) of the Money so levied or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned, upon Demand,

to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justices to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justices for his or their Appearance before such Justices on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any One of such Justices, or any other Justice of the Peace for such County or Place as aforesaid, and such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Gaol of such County or Place, there to remain without Bail or Mainprize for any Term not exceeding Two Calendar Months, unless such Penalties or Forfeitures respectively, and all reasonable Charges, shall be sooner paid and satisfied; and one Moiety of such Penalties or Forfeitures when so levied shall be paid to the Person who shall sue or prosecute for the same, and the other Moiety shall be paid and applied to the Use of the Poor of the Parish in which such Offence shall be committed, in such Manner as such Justices shall direct and appoint.

Application of Penalties.

LVIII. And for the more easy and speedy Conviction of the Offenders against this Act, be it further enacted, That the Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up in the following Form of Words (as the Case shall happen), or in any other Form of Words to the same Effect; (that is to say,)

Form of Conviction.

'} BE it remembered, That on the
'to wit. } Day of in the Year of
'our Lord *A. B.* is convicted before us, Two of His
'Majesty's Justices of the Peace of the said County [*or* City *or* Town,
'*as the Case may be*], by virtue of an Act passed in the Sixth and
'Seventh Years of the Reign of King *William* the Fourth, intituled
'*An Act* [*here set forth the Title of this Act*], of having [*here set
'out the Offence, and when and where committed,*] contrary to the said
'Act; for which Offence we do adjudge the said
'to have forfeited the Sum of . Given under our
'Hands and Seals the Day and Year above written.'

Persons aggrieved by Conviction may appeal to Quarter Sessions, giving Ten Days Notice and Security.

LIX. Provided always, and be it further enacted, That it shall be lawful for any Person who shall think himself or herself aggrieved by any such Conviction to appeal to the Justices of the Peace at the next General or Quarter Sessions of the Peace to be holden for the County or Place; and every Person appealing against such Conviction shall (if there be sufficient Time after the Cause of Complaint shall have arisen) first give or cause to be given Ten Days Notice at

at least, in Writing, of his or her Intention of bringing such Appeal, and of the Matter thereof, to the Justices whose Conviction shall be so appealed against, and within Seven Days next after the Date of such Notice shall enter into a Recognizance before some Justice of the Peace for the County or Place, with Two sufficient Sureties, conditioned to try such Appeal, and to abide by or submit to the Order thereon, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions or any Adjournment thereof; and for Want of sufficient Time for giving such Notice previous to the Quarter Sessions next after the Cause of any such Complaint shall have happened, then such Appeal, after such Notice and under such Recognizance, may be made at the Second General or Quarter Sessions of the Peace to be holden for such County or Place; and the Justice at such First or Second Sessions, or any Adjournment thereof, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way, and shall award such Costs to the Parties appealing or appealed against as they the said Justices shall think proper; and the Determination of such Justices at such Sessions shall be final, binding, and conclusive to all Intents and Purposes; and it shall be lawful for the said Justices at such Sessions, by their Order or Warrant, to levy such Costs so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse or neglect to pay the same, and for Want of sufficient Distress to commit such Person or Persons to the Common Gaol or House of Correction for the said County, there to remain for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Costs of Appeal recoverable by Distress.

Proceedings not to be quashed for Want of Form.

LX. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act shall be quashed for Want of Form, nor be removed nor removeable by Certiorari or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Dublin;* and where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons or Conviction, or in the Warrant of Distress or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) in an Action on the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid if Tender of sufficient Amends hath been made by or on behalf of the Party distraining before such Action commenced.

Limitation of Actions.

LXI. And be it further enacted, That no Action, Suit, or Proceeding shall be commenced or prosecuted against any Justice of the Peace, or any Commissioner of Valuation, or against any Valuators, or against any other Person or Persons, for any thing done in pursuance

pursuance of this Act, until Thirty Days Notice thereof shall be given to such Justice or Commissioner or Valuator, or other Person or Persons, nor after sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months next after the Fact committed; and every such Action or Suit or Prosecution shall be laid or brought in the County, County of a City, or County of a Town where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit, or Prosecution shall and may, at his or their Election, plead specially or the General Issue Not guilty, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if any Replevin shall be brought for any Cattle, Goods, or Chattels seized or taken by virtue or in pursuance of this present Act, it shall and may be lawful and sufficient to and for any Person or Persons who shall be Defendant or Defendants or Avowant or Avowants in any such Replevin to avow, plead, or make cognizance generally that he or they took the same Cattle, Goods, or Chattels as a Distress, by force of the Statute in that Case made and provided, without more particularly setting forth this Act, or the Cause of making or detaining the said Distress or Distresses, or making any other more special Plea, Avowry, or Cognizance, any thing herein contained to the contrary notwithstanding; and if it shall appear that the Matter on which the Cause of Action arose was done, or that the Distress replevied was made, in pursuance and by Authority of this Act, or that such Action or Suit shall have been brought before Thirty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, County of a City, or County of a Town than as aforesaid, then the Jury shall find for the Defendant or Defendants or Avowant or Avowants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or shall discontinue his, her, or their Action, Suit, or Prosecution after the Defendant shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants or Avowant or Avowants shall recover Double Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases of Costs given by Law.

Notice.

Tender of Amends.

Venue.

General Issue.

General Avowry in Replevin.

Costs.

## SCHEDULES to which this Act refers.

### No. 1.

Barony of B. in the County of C.

VALUATION of LANDS, &c. within the several Parishes and Townlands in the said Barony, made in pursuance of the Act 6 & 7 Will. 4. c. ., for the uniform Valuation of Lands in Ireland.

| | Acres. | Annual Value of Lands, &c. | Total in each Parish. | |
|---|---|---|---|---|
| | | | Acres. | Value. |
| Parish of A. | | £ | No. | £ |
| Townland D. - - - | 250 | 120 | | |
| ——— E. - - - | 100 | 100 | | |
| ——— F. - - - | 50 | 25 | | |
| Total in the Parish of A. | | | 400 | 245 |
| Exemptions in the Parish of A. | | | | |
| Parish of G. | | | | |
| Townland H. - - - | 60 | 100 | | |
| ——— I. - - - | 47 | 37 | | |
| ——— K. - - - | 160 | 240 | | |
| Total in the Parish of G. | | | 267 | 377 |
| Exemptions. | | | | |
| &c. &c. &c. | | | | |
| Total in Barony - | | | 667 | 622 |

The Meeting of the Committee of Appeal, named for the said Barony by the Grand Jury of the said County, is appointed for the Day of next, at the Court House at [*or at any other Place fixed for the Meeting*]. Dated this Day of 18 .

To the High Constable [*or* Collector of the Cess] for the Barony of B.

*C. V.*
Commissioner of Valuation for the County of C.

A Copy of this List is to be transmitted by the High Constable [*or* Collector] to the Churchwardens of the several Parishes within the said Barony of B., and to be posted in manner directed by the said Act 6 & 7 Will. 4. c. ., for the Valuation of Lands in Ireland.

Letters to be addressed to *C. V.* at

## No. 2.

### County of C.

VALUATION of LANDS, &c. within the several Baronies in the said County, made in pursuance of the Act 6 & 7 Will. 4. c. ., for the uniform Valuation of Lands in Ireland.

| Baronies. | Parishes. | Acres. | Annual Value of Lands, &c. | Total in each Barony. | |
|---|---|---|---|---|---|
| | | | | Acres. | Value. |
| | | No. | £ | No. | £ |
| A. | B. | 140 | 90 | | |
| | Exemptions. | | | | |
| | F. | 200 | 100 | | |
| | Exemptions. | | | | |
| | Total of Barony A. - | | | 340 | 190 |
| I. | K. | 400 | 200 | | |
| | Exemptions. | | | | |
| | N. | 80 | 40 | | |
| | Exemptions. | | | | |
| | Total of Barony I. - | | | 480 | 240 |
| &c. | &c. | &c. | &c. | &c. | &c. |
| | Total of all the Baronies in the County - | | | | |

The Meeting of the Committee of Revision named by the Grand Jury of the said County is appointed for the Day of next, at the County Court House at , for the Revision of the foregoing Valuation. Dated this Day of 18 .

*C. V.*
Commissioner of Valuation of the said County.

The Secretary of the Grand Jury is required by the said Act to give Notice of the Day and Place above appointed to each and every Member of the said Committee of Revision, and also to advertise the same in some public Newspaper circulated in the said County Fourteen Days at least before the said Day of Meeting.

## No. 3.

### County of C.

VALUATION of LANDS, &c. within the several Baronies in the said County, finally confirmed and agreed on by the Committee of Revision appointed by the Grand Jury of the said County, in pursuance of the Act 6 & 7 Will. 4. c. ., for the uniform Valuation of Lands in Ireland.

| Baronies. | Parishes. | Acres. | Annual Value of Lands, &c. | Total in each Barony. | |
|---|---|---|---|---|---|
| | | | | Acres. | Value. |
| | | No. | £ | No. | £ |
| A. | B. | 140 | 90 | | |
| | Exemptions. | | | | |
| | F. | 200 | 100 | | |
| | Exemptions. | | | | |
| | Total of Barony A. - | | | 340 | 190 |
| I. | K. | 400 | 200 | | |
| | Exemptions. | | | | |
| | N. | 80 | 40 | | |
| | Exemptions. | | | | |
| | Total of Barony I. - | | | 480 | 240 |
| &c. | &c. | &c. | &c. | &c. | &c. |
| | Total of all the Baronies in the County - | | | | |

*C. D.*
Commissioner of Valuation for the County of C.

*E. F.*, *G. H.*, *I. K.*, } Members of the Committee of Revision for the said County.

County Court House,
Day of 18 .

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