



ANNO QUINQUAGESIMO PRIMO

# GEORGI III. REGIS.

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## Cap. 36.

An Act to amend an Act made in the Parliament of *Ireland*, in the Twenty-sixth Year of His present Majesty, for making and repairing Public Roads in the County of *Dublin*, with respect to the Roads within those Parts of the Baronies of *Uppercross* and *Newcastle*, which are situate on the South-East Side of the great Turnpike Road leading from *Dublin* to *Cork*, by *Rathcoole* and *Naas*. [6th May 1811.]

**W**HEREAS from the Manner of raising the Money heretofore presented by the Grand Jury of the County of *Dublin*, to be raised upon the Baronies of *Uppercross* and *Newcastle*, in the County of *Dublin*, for the making and repairing of the Roads in the said Baronies, pursuant to an Act of the Parliament of *Ireland*, made in the Twenty-sixth Year of the Reign of His present Majesty, intituled, *An Act for making, widening, and repairing Public Roads in the County of Dublin, and for repealing Parts of several Acts formerly made for that Purpose*: there are a great Number of Persons within that Part of the said Baronies situate on the Left or South-East Side of the great Turnpike Road leading from *Dublin* to *Cork*, by *Rathcoole* and *Naas*, who occupy Houses, and keep Horses and Carriages, and use the said Roads in the Part of the said Baronies, and who notwithstanding do not contribute to the Expence of making or repairing the same, which is not just or reasonable; For Remedy whereof, may it please Your Majesty, That it may be enacted, and be it enacted by the King'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 from and after the passing of  
[Loc. & Per.] 8 N Grand Jury to present this

Sums to be  
raised upon  
Houses.

this Act, it shall and may be lawful to and for the Grand Jury of the County of *Dublin* at every *Easter* and *Michaelmas* Term to present, to be raised upon the several Houses in those Parts of the said Baronies of *Upper Cross* and *Newcastle* respectively, which are situate on the Left or South East Side of the great Turnpike Road now leading from *Dublin* to *Cork* by *Rathcoole* and *Naas* (save as therein after mentioned) and to be paid and payable by the Occupiers of such Houses respectively, any Sum or Sums of Money not exceeding One Shilling for every Pound Sterling of the yearly Value thereof, such yearly Value to be ascertained in Manner hereinafter mentioned, and the same to be applied and expended, exclusively, in the making and repairing of the Roads and Public Footways in those Parts only of the said Baronies respectively which are situate on the Left or South East Side of the said Turnpike Road, and as the same shall be presented by the said Grand Jury, and according to the Form and Effect of the respective Presentments which shall be passed for that Purpose, the said Sum or Sums so to be presented and levied by virtue of this Act, to be applied to the Purpose aforesaid, in addition to such Sum or Sums of Money as shall or may be presented from Time to Time by the said Grand Jury for making and repairing Roads and Public Footways in the said Baronies respectively, by virtue of any Act or Acts of Parliament now in force.

Valuers to be  
appointed.

II. And be it further enacted, That in order to ascertain the several Houses which shall be liable to pay and to be assessed under this Act, and in order to ascertain the Value of the same, and at what Rate they shall be so assessed, the Treasurer of the County of *Dublin* shall issue his Precept or Warrant to the Churchwardens of the several Parishes or Unions, which, or Parts of which, are situate within those Parts of the said Baronies respectively, which are situate on the Left Side of the said Turnpike Road which are within One Month after the passing of this Act, or as soon after as he shall be thereunto required by any Two Landholders residing within those Parts of the said Baronies respectively which are situate on the Left Side of the said Turnpike Road; thereby requiring the said Churchwardens in a public Vestry, to be called for that Purpose, within One Month after the Delivery of the said Warrant, to cause Two Persons residing within the said Parish or Union, who respectively occupy a House of at least the yearly Value of Twenty Pounds *Irish* Currency, or are possessed of a Freehold or Leasehold Estate of at least the yearly Value of Fifty Pounds *per Annum Irish* Currency, within those Parts of the said Baronies respectively, which are situate on the Left Side of said Turnpike Road, to be elected and appointed as Valuers, and that such Valuers shall thereupon proceed to value the Houses in said Parish or Union, within those Parts of the said Parishes or Unions, situate on the Left Side of said Turnpike Road, according to the fair, just and reasonable yearly Value thereof, and shall make out and certify a List of such Valuation to the said Churchwardens, within One Month after such Nomination or Appointment, and shall make Oath before any Justice of the Peace of the said County of *Dublin*, (which Oath any Justice is hereby empowered to administer) that they have made the said Valuation or Applotment fairly and justly, according to the best of their Skill and Judgment, without Favour, Affection or Malice to any Person, and which Oath shall be recorded on the Back or at the Bottom of such List, and the said Churchwardens shall thereupon call another Vestry within Fourteen Days after receiving such  
Valuation

Valuation, for the Purpose of confirming, altering or amending the same, and the Vestry so called is hereby empowered to hear all Parties who shall object to the said Valuation or Applotment, and for that Purpose to adjourn from Time to Time, and to make such Alterations and Amendments as to them shall seem just and reasonable, and then finally to settle and ascertain the same, and the Churchwardens shall then return the said Valuation so confirmed, altered or amended, with the said Warrant annexed thereto, to the Treasurer of the said County, to be kept among the Records thereof, and so from Time to Time, as often as a new or further Valuation may become necessary by the Increase of Houses in those Parts of the said Baronies respectively, as are situate on the Left Side of the said Turnpike Road, the said Treasurer shall on a Requisition to him for that Purpose to be made by any Grand Jury of the County of *Dublin*, or by the Churchwardens of any of the said Parishes or Unions, or by any Three Landholders residing within those Parts of said Baronies respectively hereinbefore mentioned, issue his Warrant in like Manner as aforesaid, and the Churchwardens and Valuers shall proceed in like Manner as aforesaid, to value such Houses as may have been built since the former Valuation, and according to which Lists or Valuations so to be made from Time to Time, the said Houses and the Occupiers of such Houses respectively, shall be rated and charged under this Act: Provided always, that in making such Valuation, the said Valuers shall not value any House which is not of the yearly Value of Five Pounds *Irish* Currency, nor shall they Value any House at a higher Rent than Fifty Pounds *Irish* Currency: Provided also, that they do not value any House or Houses situate immediately on the Side of or adjoining to the said Turnpike Road, or any House, the immediate Entrance, Gate or private Avenue leading to which shall be on or immediately adjoining the said Turnpike.

III. And be it further enacted, That the Treasurer of the said County shall, from Time to Time, issue his Warrant for the Purpose of raising and levying the Money presented under this Act, as he is empowered to do with respect to Money presented under the said recited Act, and that the Money to be presented under this Act, shall and may be levied thereunder in like Manner, and with the like Powers and Remedies for enforcing Payment of the same, as any Money presented under the said recited Act; and that in case the said Treasurer, Churchwardens or Valuers to be appointed as aforesaid, shall neglect, decline or refuse to carry this Act into effect, so far as the same relates to them respectively as aforesaid, the Person or Persons so offending shall be liable to a Penalty of Twenty Pounds *Irish* Currency, to be recovered by Action of Debt, Bill, Plaint or Information, by any Person who shall sue for the same in any of His Majesty's Courts of Record in *Dublin*, wherein no *Essoin*, Protection, Privilege or Wager at Law, or more than one *Impar lance* shall be granted or allowed.

Enforcing  
the Execu-  
tion of the  
Act.

IV. And whereas, by the said recited Act, it is enacted, that it should be lawful for the Grand Jury of the County of *Dublin* to present for a time not exceeding One Year an Overseer to keep in repair and free from Nuisances, any Number of Perches of Road in the said Baronies, not exceeding Six hundred Perches, and to empower such Overseer to expend Six-pence for every Perch if within Six Miles of the Castle of *Dublin*, or Three-pence if at a greater Distance, to be expended

Overseers to  
expend larger  
Sums in  
Repairs.

expended and accounted for as in the said Act is mentioned, which Allowance has been found insufficient, for Remedy whereof: Be it enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Grand Jury of the County of *Dublin*, to present the annual Overseers to expend any Sum of Money not exceeding Two Shillings for every Perch upon the Great Road leading from *Dublin* to *Miltown*, the Great Road leading from *Dublin* to *Rathfarnham* by *Rathmines* and *Harold's Cross*, and the Great Road from *Dublin* to *Crumlin*, and to present any Sum or Sums of Money not exceeding Nine-pence for every Perch upon the several other Roads in those Parts of the said Baronies which are situate on the Left Side of the said Turnpike Road: Provided always, that every such Overseer shall expend and account for all such Sum or Sums of Money so presented in like Manner as in the said recited Act is mentioned, respecting the expending and accounting for the said Sums of Six-pence and Three-pence respectively.

Powers of former Acts extended to this.

V. And be it further enacted, That all and every Person and Persons who, collectively or individually, shall or may be in any wise concerned or employed from Time to Time in ordering, presenting, valuing, collecting, levying or expending the Money or Cels herein or hereby authorized to be levied, raised and expended, shall have the like Powers and Authority, Benefit, Privileges and Advantages in all respects for that Purpose, as fully to all Intents and Purposes, as are given in and by the said recited Act.

Grand Jury to present Costs of passing and executing Act.

VI. And be it further enacted, That it shall and may be lawful to and for the Grand Jury of the County of *Dublin* to present from Time to Time such Sum or Sums of Money as they shall think just and reasonable to the County Treasurer, Inspector of County Accounts, and Secretary to the Grand Jury, as Compensation for their Trouble and Loss of Time in carrying this Act into Effect, to be raised and levied off those Parts of the said Baronies respectively which are situate on the Left Side of the said Turnpike Road, also to present in Gales or Sums of One Fourth Part in each presenting Term, to be also raised and levied off the said Parts of the said Baronies on the Left of the said Turnpike Road respectively, in addition to the Money hereinbefore-mentioned, and which by this Act they are empowered to present the Costs and Expences of obtaining and passing this Act, with lawful Interest for the same, from the Time of advancing the same, so that the whole of such Costs and Expences, and Interest, be paid in Four successive presenting Terms after the passing of this Act, and that the same shall be apportioned and levied as any other Money to be presented, raised or levied by virtue of this Act, or the said above-mentioned Act could or might be apportioned, raised or levied.

Publick Act.

VII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.