



ANNO QUINQUAGESIMO
GEORGE III. REGIS.

Cap. 60.

An Act to amend so much of 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*, as relates to the Roads within the Barony of *Rathdown*.

[18th April 1810.]

WHEREAS by an Act made and passed in the Parliament of *Ireland*, 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*, it is enacted, that for the Purpose of justly proportioning the Sums that each Barony and District are to pay towards the Money presented by the Grand Jury, the County of *Dublin* should be considered as divided into a certain Number of Parts, of which each Barony should be considered as containing the Number of Parts in the said Act mentioned: And whereas the Barony of *Rathdown* in the said County, is by the said Act stated, as containing Twelve thousand four hundred and thirty-seven of the said total Parts, and is directed to be cessed and apportioned, as well for the Charges and Expences of the County of *Dublin* at large, as also for the Charges of the said Barony accordingly: And whereas from the great Increase of Houses and Population in the said Barony of *Rathdown*, and the increased Number of Roads, Bridges, and other Public Works therein, and from the Advance in the Hire and Price of Labour and Materials, it hath been found that the said Proportion of Parts of which the said Barony of *Rathdown* is considered to consist, and the Rate at which the same is assessed, is

[Loc. & Per.] 16 K short

Grand Jury
to present
Sums to be
raised upon
Houses.

short and insufficient for the Purposes in the said Act mentioned, as far as they respect the Charges and Expences of the said Barony : And whereas the Money heretofore presented by the Grand Jury to be raised upon the said Barony of *Rathdown*, has been levied upon the Landholders exclusively, although there are several Houses and Villages in the said Barony, and many Houses occupied by Persons keeping and using Horses and Carriages who do not contribute to the Expence of making or repairing the Roads through 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 this Act, it shall and may be lawful to and for the said Grand Jury of the County of *Dublin*, at every *Easter* and *Michaelmas* Term, to present to be raised upon the several Houses in the said Barony of *Rathdown*, and payable by the Occupiers of such Houses, any Sum or Sums not exceeding One Shilling for every Pound Sterling of the Yearly Value thereof, such Yearly Value to be ascertained, subject to the Limitation, and in Manner hereinafter mentioned ; the same to be applied and expended in the making and repairing such Roads and Public Footways in the said Barony only as shall be presented by the said 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 in Addition to such Sum or Sums of Money as shall or may be presented by the said Grand Jury for making and repairing such Roads and Public Footways in the said Barony only, by virtue of any Act or Acts of Parliament already in force.

Valuers to be
appointed.

II. And be it further enacted, That in order to ascertain the Houses which shall be liable to pay and to be assessed under this Act, and in order to ascertain the Value of such Houses, 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, in the said Barony, 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 the said Barony, 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 have Two Persons residing within the said Parish or Union, who respectively occupy a House of at least the yearly Value of Thirty Pounds *Irish* Currency, elected and appointed as Valuers of Houses ; and that such Valuers shall thereupon proceed to value the Houses in the said Parish or Union, according to the fair, just, and reasonable 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 such Justice is hereby empowered to administer,) that they have made the said Applotment fully and justly, according to the best of their Skill and Judgment, without Favour, Affection, or Malice to any Person, and which Oath

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, 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 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 new or further Valuations may become necessary, by the encrease of Houses in the said Barony, the said Treasurer shall issue his Warrant, and the Churchwardens and Valuers shall proceed in Manner aforesaid, and according to which Lists or Valuations so to be made, from Time to Time, the said Houses, and the Occupiers of such Houses, shall be rated and valued, pursuant to this Act: Provided, nevertheless, that no House shall be valued, or presented, which is not of the yearly Value of Ten Pounds *Irish* Currency, or shall be valued or presented at a higher Rate than the yearly Value of Fifty Pounds *Irish* Currency.

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 to be presented pursuant to this Act, in like Manner as he is empowered to do for the levying the Money presented under the said recited Act; and that in case the said Treasurer, Churchwardens, or Valuers to be so 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, to be recovered by Action of Debt, Bill, Plaint or Information in any of His Majesty's Courts of Record at *Dublin*, wherein no Essoin, Protection, Privilege, or Wager of Law, or more than One Imparance 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 Barony, not exceeding Six hundred, 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 and accounted for as in the said Act is mentioned, which Allowance has been insufficient: For Remedy whereof, be it further 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 such Annual Overseers to expend any Sum or Sums of Money not exceeding One Shilling and Six-pence for every Perch upon the Great Roads in the said Barony, that is to say: the Road from *Dublin* to *Powerscourt* by *Milltown* and *Dundrum*, the Two Roads from *Dublin* to *Wicklow*, by *Donnybrook* and *Blackrock* respectively, and the Road from

Overseers
may expend
larger Sums
in Repairs.

from *Dublin* to *Dalkey* by *Ballbridge*, and to present in like Manner to be expended upon all Public Roads in the said Barony, any Sum not exceeding Nine-pence per Perch: Provided always, That every such Overseer shall expend and account for all such Sum or Sums of Money so presented in the 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.

Persons acting under the Act, entitled to the Benefit of former Laws.

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 Cess therein or thereby authorised to be levied, raised, and expended, shall have the like Powers and Authority, Benefits, 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 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 in Gales, or Sums of one-fourth Part in each presenting Term, to be raised and levied of the said Barony of *Rathdown*, in addition to the Money herein before mentioned, and which by this Act they are empowered to present, the Costs 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 Interest be paid in Four successive presenting Terms after the passing of this Act; and that the same shall be apportioned and levied on the said Barony as any other Money to be presented, raised, or levied by virtue of this Act shall 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.

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