



ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

Cap. cii.

An Act for the more equal Applotment of certain Rates in the County of the City of *Dublin* and County of *Dublin* respectively.

[22d August 1843.]

WHEREAS it is expedient to provide for the more equal Applotment of the several Rates raised within the City of *Dublin* and County of *Dublin* under divers Acts of Parliament, for the Purposes of paving, lighting, and cleansing, and for the Supply of Pipe-water: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of an Act passed in the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to explain and amend an Act passed in the Forty-seventh Year of His present Majesty's Reign, for the more effectual Improvement of the City of Dublin and the Environs thereof*, or of any Act or Acts altering, amending, continuing, or extending the same, as provides that the Rates and Assessments which under the Provisions of the said Act or Acts the Commissioners for paving, cleansing, and lighting the Streets of *Dublin* are authorized to make, levy, and

Certain Parts of 54 G. 3. c. 221., as regards Rates for paving, lighting, &c. the City of Dublin, repealed.

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and

and assess for the Purposes of the said Act or Acts upon all and every the Houses, Shops, Warehouses, Coach-houses, Stables, Out-offices, Vaults, Cellars, and Tenements, Sheds, Stalls, and other private Buildings, together with the Grounds and Tenements thereto respectively adjoining or therewith occupied and enjoyed, within the Jurisdiction of the said Commissioners, shall be made, levied, and assessed according to the yearly Rent at which the same may be rated or valued for the Collection of Minister's Money or for the Collection of Watch Money, or for the Support or Maintenance of the Workhouse and Foundling Hospital, or as the same shall have been valued by virtue of certain Acts therein mentioned, or, in Cases not comprehended within such Valuations, according to a particular Valuation to be made under the Direction of the said Commissioners, as in the said Act or Acts mentioned, and also so much of the said Act as enacts that Warehouses, Coach-houses, Stables, and Out-offices (not liable to be rated or assessed to Minister's Money), and that dead Walls and void Spaces of Ground adjoining Streets, Lanes, Quays, Courts, Squares, Alleys, or public Passages, shall be rated or assessed according to square Measure or lineal Measure or Frontage, or otherwise howsoever, and also so much of the said Act as provides that such Rates or Assessments shall not exceed in any One Year certain Limits in the said Act mentioned, shall be and the same is hereby repealed, without Prejudice nevertheless to any Rate or Assessment heretofore made pursuant to the Provisions of the said Act or Acts, or to the Recovery thereof.

Rates for paving, lighting, &c. to be ap-
plotted according to Poor Law Valuation ;

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c. 56.

except in certain Cases.

II. And be it enacted, That from and after the passing of this Act every Rate to be at any Time made, assessed, or levied under the Authority of the said recited Act or Acts by the said Commissioners for paving, lighting, and cleansing the Streets of *Dublin* shall, save and except as herein-after mentioned, be a Poundage Rate, and shall be made, assessed, and levied upon all and every the Houses, Buildings, Lands, Tenements, and Hereditaments whatsoever within the Jurisdiction of the said Commissioners liable to be anywise rated and assessed under the Provisions of the said Act or Acts, for the Purposes thereof, equably, according to the net annual Value thereof respectively, as the same now are or shall from Time to Time be hereafter valued and rated under an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual Relief of the destitute Poor in Ireland*, or any Act or Acts amending the same: Provided always, that nothing herein contained shall extend to or affect the Provisions made by the said recited Act or Acts as to the Mode of rating and assessing Colleges, Schools, Market Houses, Halls, Theatres, Store-houses, Store-yards, Docks, Courts of Law, and other public Buildings, used for public Purposes, or the Grounds or Tenements thereto respectively adjoining or therewith occupied and enjoyed, nor as to the Mode by the said recited Act or Acts prescribed for the Assessment and Applotment of any Tax or Rate for the watering of the Squares, Streets, and other public Passages within the Jurisdiction of the said Commissioners, or for defraying the Costs, Charges, and Expences of altering, changing, rebuilding, extending, or enlarging any private Sewer; Drain, or Cesspool, or the Site or Course thereof,
or

or fencing or enclosing void Spaces or Lots of Building Ground, or for Flagging in front of any House or other Building, void Space, or Lot of Building Ground, or for paving or shingling the Carriageway in front of the same so far as the Centre of the Street or other Passage to which they may front, or for building a main Sewer or cross Drain from such House or other Building, void Space, or Lot of Building Ground into a main Sewer, within the Jurisdiction of the said Commissioners, or both.

III. Provided always, and be it enacted, That the gross Amount of the Rates or Assessments to be made in any One Year by the said Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, for the Purposes of the said Act of the Fifty-fourth Year of the Reign of King *George* the Third, shall not exceed in any One Year the Amount which such Commissioners would have been empowered to levy and assess under the Provisions of the said several Acts herein-before recited if this Act had not been passed.

Assessments not to exceed present Amount.

IV. And be it enacted, That from and after the passing of this Act so much of an Act passed in the Forty-second Year of the same Reign, intituled *An Act for amending, altering, and extending the Powers of the several Acts of Parliament now in force for supplying the City of Dublin with Water, and for making better Provision for that Purpose*, as empowers the Corporation formerly bearing the Name of the Right Honourable the Lord Mayor, Sheriffs, Commons, and Citizens of the City of *Dublin*, but now bearing the Name of the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, or any Person or Persons acting by virtue of or under their Authority, to demand and take from the Owner or Occupier of every Dwelling House within the said City of *Dublin* and the Liberties and Suburbs thereof, and the Parts of the Liberty of *Saint Sepulchre's* subject to the Payment of Pipe-water Rent, certain annual Rates or Rents for the Supply of Pipe-water, calculated according to the Amount of Minister's Money payable from each such Dwelling House respectively, shall be and the same is hereby repealed, without prejudice nevertheless to any Rent or Rate heretofore rated or assessed or due and payable under the Provisions of the said Act, or to the Recovery thereof.

Certain Parts of 42 G. 3. c. 92., as regards Rent for Pipe-water, repealed.

V. And be it enacted, That in lieu of the Rates or Rents so made payable for each and every Dwelling House under the said Act it shall and may be lawful to and for the said Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, or any Person or Persons acting by virtue of or under their Authority, and he and they is and are hereby empowered, to demand and take from the Owner or Occupier of every Dwelling House within the said City of *Dublin* and the Liberties and Suburbs thereof, and such Parts of the Liberty of *Saint Sepulchre's* as are subject to the Payment of Pipe-water Rent, the following annual Rates or Rents for the Supply of Pipe-water; (that is to say,)

Rents for Pipe-water to be according to the Value of the Houses for Poor Rate.

For each and every Dwelling House now or which shall be hereafter at any Time valued and rated under the herein-before recited Act for the more effectual Relief of the destitute Poor in
Ireland,

Ireland, or any Act or Acts amending the same, at a net annual Value of Five Pounds and less than Ten Pounds, an annual Rate or Rent not exceeding Five Shillings :

For each and every Dwelling House now or which shall be hereafter at any Time valued and rated under the herein-before last-recited Act or Acts at a net annual Value of Ten Pounds and less than Twenty Pounds, an annual Rate or Rent not exceeding Ten Shillings :

For each and every Dwelling House now or which shall be hereafter at any Time valued and rated under the herein-before last-recited Act or Acts at a net annual Value of Twenty Pounds and less than Fifty Pounds, an annual Rate or Rent not exceeding Fifteen Shillings :

For each and every Dwelling House now or which shall be hereafter at any Time valued and rated under the herein-before last-recited Act or Acts at a net annual Value of Fifty Pounds and less than Eighty Pounds, an annual Rate or Rent not exceeding Twenty-seven Shillings and Sixpence :

For each and every Dwelling House now or which shall be hereafter at any Time valued and rated under the herein-before last-recited Act or Acts at a net annual Value of Eighty Pounds or upwards, an annual Rate or Rent not exceeding Thirty Shillings :

Gross Amount of Pipe-water Rents not to exceed Amount demanded under 42 G. 3. c. 92.

Provided always, that the gross Amount of the Pipe-water Rate or Rents demanded or taken under the Provisions of this Act by the said Right Honourable the Lord Mayor, Aldermen, and Burgesses of the City of *Dublin*, or any Person or Persons acting by virtue of or under their Authority, shall not exceed in any One Year the Amount which the said Right Honourable the Lord Mayor, Aldermen, and Burgesses, or other Person, would have been empowered to demand or take under the Provisions of the said recited Act of the Forty-second Year of the Reign of King *George* the Third, or any other Act or Acts, if this Act had not been passed.

Secretary of Pipe-water Establishment shall make a Return to Lord Lieutenant of Amount of Pipe-water Rates and Rents.

VI. And be it enacted, That the Secretary and Supervisor of the Pipe-water Establishment in the City of *Dublin* shall, on or before the Twenty-fourth Day of *September* in the Year One thousand eight hundred and forty-four, and on or before the Twenty-fourth Day of *September* in every succeeding Year, make a Return to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, showing the gross Amount of Pipe-water Rates and Rents and Surcharges received for the Year ending the Twenty-fourth Day of *June* then next preceding.

Reserving Power to contract in particular Cases.

VII. Provided always, and be it enacted, That nothing in this Act contained shall affect or repeal the annual Rate or Rent by the said recited Act of the Forty-second Year of the said Reign made payable in respect of each and every Water-closet supplied with Pipe-water, nor affect or repeal the Power by the said last-mentioned Act given to the said Lord Mayor, Aldermen, and Burgesses of contracting and agreeing with the Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers, Director or Directors of any public Building or Buildings, or with all and every other Person or Persons, who shall
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consume or make use of Pipe-water in their several and respective Trades, Occupations, and Manufactures, for an additional annual Rate or Rent for Pipe-water, but that the said additional Rate or Rent for Water-closets, and the said additional Rate or Rents so contracted or agreed for, shall be payable and paid and received over and above and in addition to the annual Rate or Rent herein directed to be paid for each and every Dwelling House, in like Manner as the same were payable over and above and in addition to the Rate or Rents payable under the said Act herein-before last recited.

VIII. Provided also, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to charge with the said Rates or Rents, or any of them, Her Majesty's Castle of *Dublin*, or any House, Hospital, or Tenement whatsoever by the said last-recited Act or any other Act or Acts exempted from the Payment of Rate or Rent for the Supply of Pipe-water, or in anywise to strengthen, confirm, weaken, invalidate, alter, or in anywise affect the Right or Title (if any) of the said Lord Mayor, Aldermen, and Burgesses in and to the said Pipe-water Rates or Rent, or the Liability or Exemption of any Person to or from the Payment of the same. Exemptions.

IX. And whereas certain Hereditaments by the herein-before recited Acts made chargeable for the Purposes of the said Acts respectively may not have been included in the Valuation made for the Purpose of Poor Rates, and it is expedient that any such Property should be valued in like Manner and upon the same Scale as that which is so rated: And whereas in the Valuation made for the Purpose of Poor Rates Dwelling Houses may be in certain Cases valued together with Property not comprehended in that Term, and a separate Valuation of such Dwelling Houses may be necessary for the Purpose of assessing the said Pipe-water Rates or Rents; be it therefore enacted, That in all Cases of Property which is or shall be liable to the Payment of any Rate or Assessment or Rates or Rents under the Provisions of the herein-before Acts or any of them, and which shall not be included in the Rate for the Relief of the Poor in the Union wherein the same may be situate, and in the Case of Dwelling Houses valued together with other Property, the Guardians of the Poor of such Union shall make and declare or cause to be made and declared separate Valuations of all or any such Property and Dwelling Houses situate in any Ward or Townland, or other Denomination proper for that Purpose within the Union, in like Manner and subject to the like Direction of the Poor Law Commissioners for the Time being as by Law required and directed with respect to Hereditaments rated as aforesaid; and every such separate Valuation of Property not liable to be rated to the Relief of the Poor shall contain in a separate Column a Statement of the Ground of such Exemption; and all such separate Valuations, when made, shall be subject in all respects to the like Right of Appeal, Regulations, Additions, or Alterations, and shall be of like Force and Effect under the Provisions of this Act, as any Valuation made for the Purposes of a Rate for the Relief of the Poor, as nearly as the Circumstances of the Case will admit; and Copies of such separate Valuations shall be furnished by the Clerk of the Guardians of the [Local.] 36 I Poor Supplemental Valuations.

Poor of such Union, in the same Manner and within the same Period as is herein-after directed with respect to Copies of the Rates.

Copies of
Valuations.

X. And be it enacted, That within Twenty-one Days after the passing of this Act the Clerk of the Guardians of the Poor of the *North Dublin* Union and the Clerk of the Guardians of the Poor of the *South Dublin* Union, respectively, shall make out a true and perfect Copy of the then last made Rate for the Poor therein, and of such supplemental or separate Valuations as are herein-before directed to be made, or of so much of them or either of them as shall relate to any Property liable to the Rates and Assessments herein-before mentioned, or as shall be required by the said Commissioners for paving, lighting, and cleansing the Streets of *Dublin*, or as shall relate to the Rates or Rents herein-before mentioned, or as shall be required by the Secretary and Supervisor of the Pipe-water Establishment, or such other Officer as shall be thereunto empowered by the Right Honourable the Lord Mayor, Aldermen, and Burgesses of the City of *Dublin*, and shall deliver the same, attested and certified by him, to the said Commissioners for paving, lighting, and cleansing the Streets of *Dublin*, and to the said Secretary and Supervisor or other Officer as aforesaid; and such Clerk as aforesaid, from Time to Time, and as often as any Additions to or Alterations in the said Rate for the Relief of the Poor shall have been made, whether by Appeal or otherwise, shall, within Ten Days after such Rate and supplemental Valuation shall have been so added to or altered, make true and perfect Copies of such Additions or Alterations, and deliver the same, attested and certified by him, to the said Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, and to the said Secretary and Supervisor, or other Officer as aforesaid.

Entry of
Rate or
certified
Copy to be
Evidence.

XI. And be it enacted, That the Entry of such Rate or supplemental Valuation, or, in the Absence of the original, such attested and certified Copy of such Rate or supplemental Valuation, Addition, or Alteration as aforesaid, shall in all Cases be and be deemed and taken to be conclusive Evidence of all the Matters contained therein.

Expences of
Act how to
be paid.

XII. And be it enacted, That the Fees, Costs, Charges, and Expences preparatory and relating to the obtaining and passing of this Act, or in anywise incident thereto, shall be ascertained by the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and shall be payable, in equal Moieties, by the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin* and by the Commissioners for paving and lighting the Streets of *Dublin* respectively, upon the Certificate in Writing of the said Chief or Under Secretary, to such Person as shall be named in such Certificate; and the Moiety of such Fees, Costs, Charges, and Expences as aforesaid payable by the said Right Honourable the Lord Mayor, Aldermen, and Burgesses shall be a Charge upon all Pipe-water Rates or Rents which shall be received under the Provisions of this Act, and upon all Pipe-water Rates or Rents now in the Hands of the said Right Honourable the Lord Mayor, Aldermen, and Burgesses, with priority over all other Charges and Incumbrances
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whatsoever,

whatsoever, and shall be paid thereout in preference to all other Payments whatsoever; and in like Manner the Moiety of such Fees, Costs, Charges, and Expences, so ascertained as aforesaid, payable by the said Commissioners for paving and lighting the Streets of *Dublin*, shall be a Charge upon all Rates and Assessments made, levied, and assessed under the Authority of the said recited Act passed in the Fifty-fourth Year of the Reign of His Majesty King *George* the Third, or any Act or Acts altering, amending, continuing, or extending the same, or of this Act, and upon all Rates and Assessments now in the Hands of the said Commissioners, with priority over all other Costs, Charges, and Incumbrances whatsoever, and shall be paid thereout in preference to all other Payments whatsoever.

XIII. And be it enacted, That in case the Treasurer of the Borough of the City of *Dublin*, or the said Commissioners for paving and lighting the Streets of *Dublin* for the Time being, shall neglect or refuse to pay the Moiety of such Fees, Costs, Charges, and Expences, so ascertained as aforesaid, payable by the Right Honourable the Lord Mayor, Aldermen, and Burgesses of *Dublin*, or by the said Commissioners respectively, to the Person to whom by such Certificate as aforesaid such Payment may be directed to be made, in priority and preference to any other Lien, Charge, Demand, or Claim whatsoever upon the Money in his or their Hands, such Treasurer or Commissioners, as the Case may be, shall for such Neglect or Refusal forfeit the Sum of Two hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Dublin*.

Penalty on Treasurer or Commissioners neglecting or refusing to pay such Expences.

XIV. And be it enacted, That the said several recited Acts and every of them, and all Clauses, Matters, and Things therein respectively contained (save and except such Parts thereof as are by this Act expressly varied, altered, or repealed,) shall be and the same is and are severally declared to be and continue in full Force and Effect, to all Intents and Purposes, and shall be as good, valid, and effectual as if the same and every of them were re-enacted in the Body of this Act; and all and every the Provisions of the said several recited Acts for the levying and Recovery of the several Rates, Assessments, or Rents therein respectively mentioned shall apply and extend to the Levy and Recovery of the Rates, Assessments, and Rents assessed and apportioned and payable under the Provisions of this Act.

Acts to continue in force, except as altered.

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

Act may be amended this Session.

XVI. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

