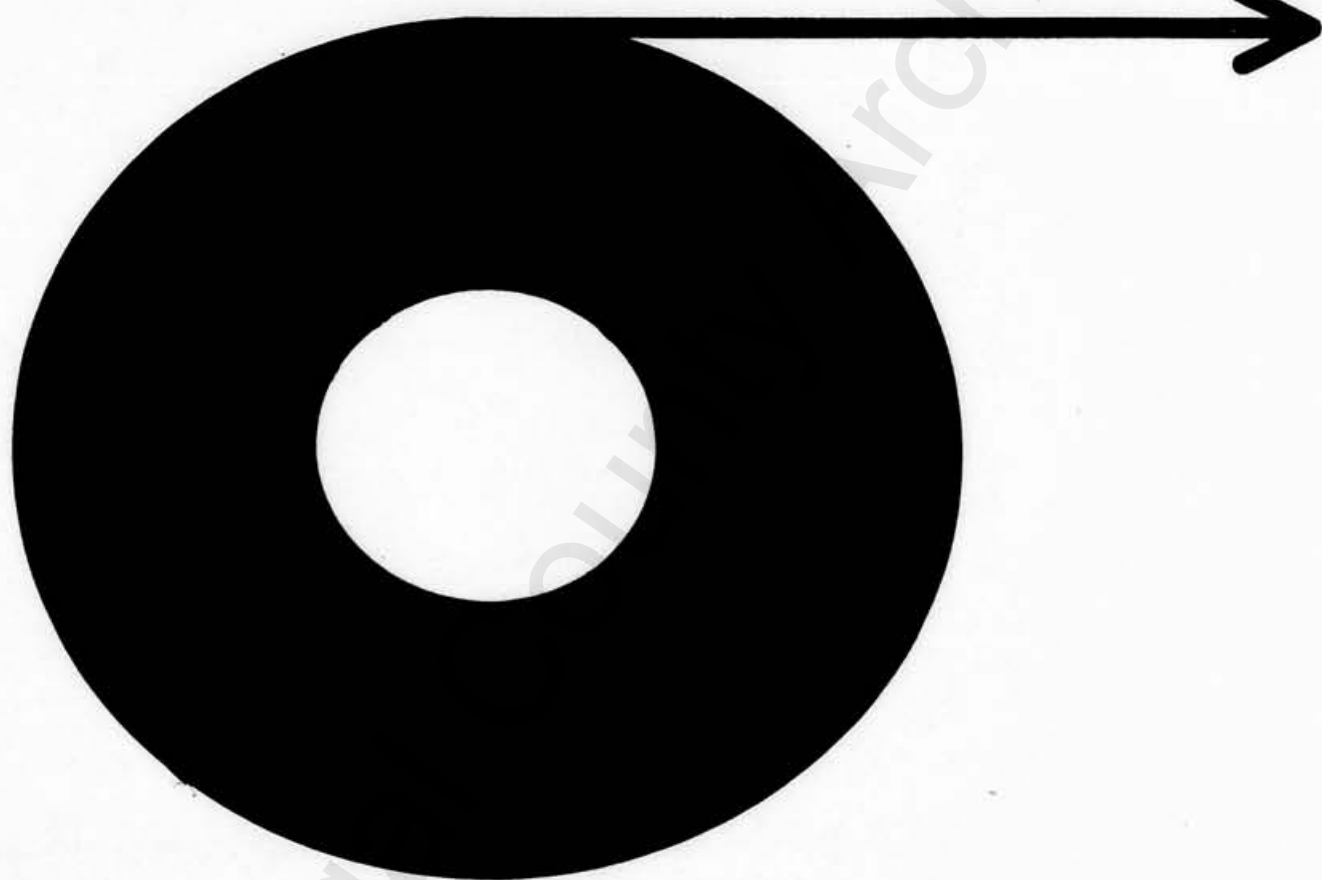


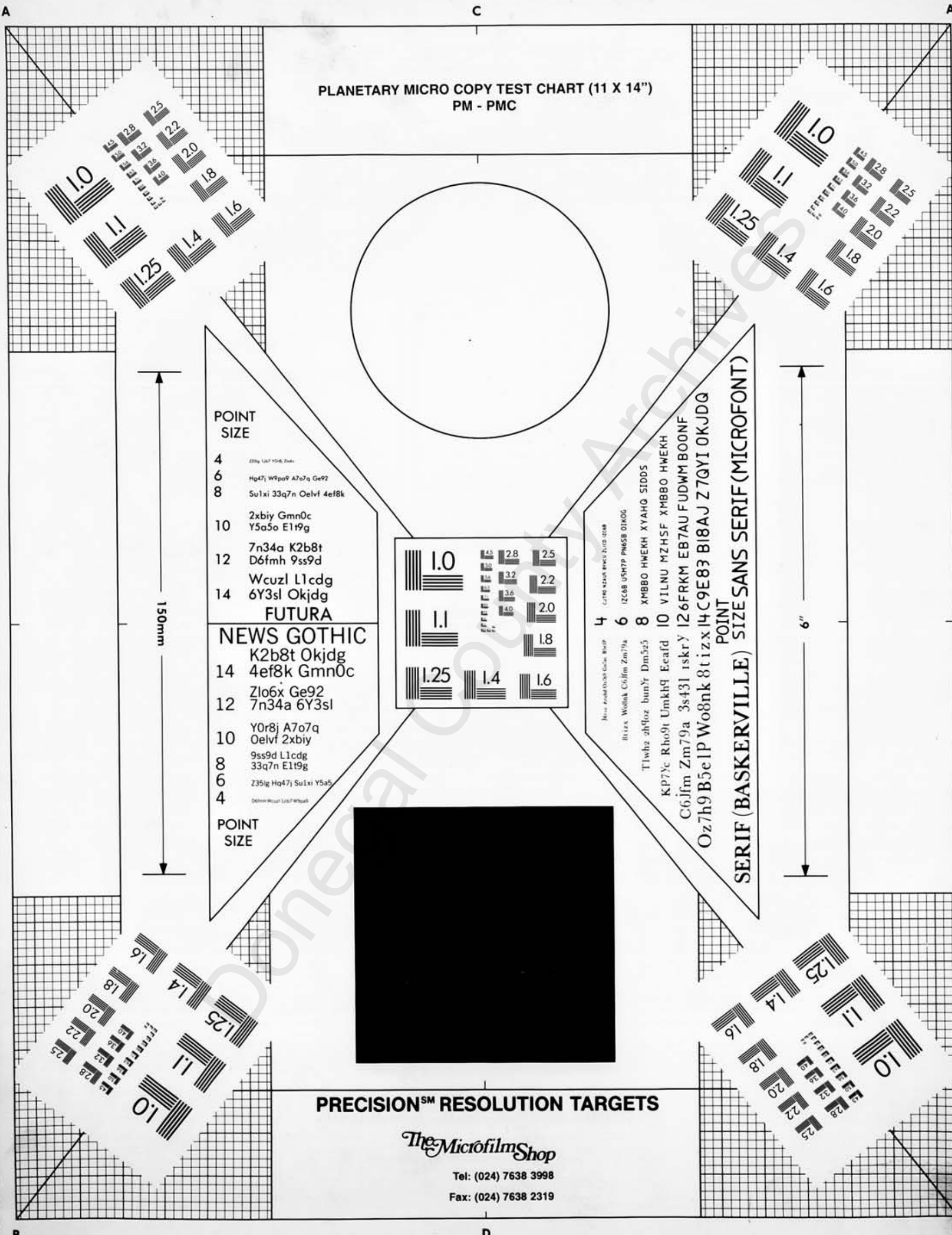


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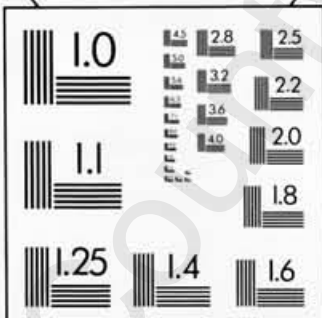
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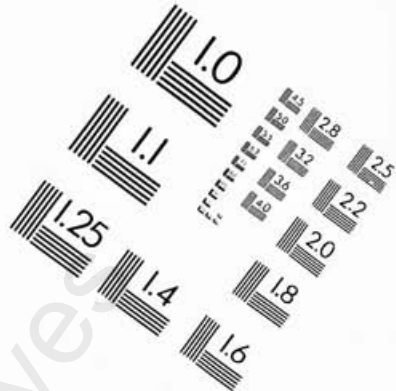
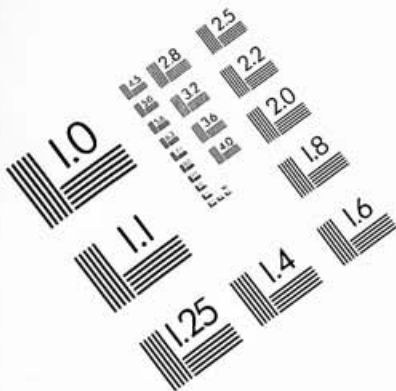
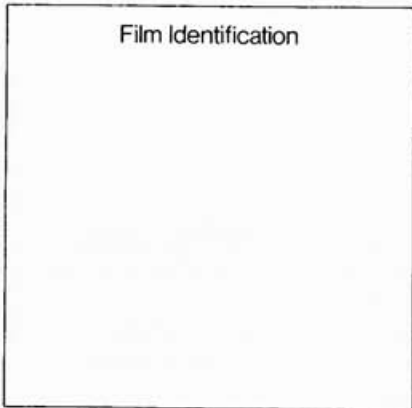
PRECISION<sup>SM</sup> RESOLUTION TARGETS

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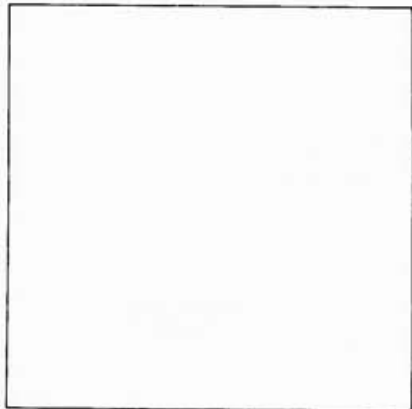
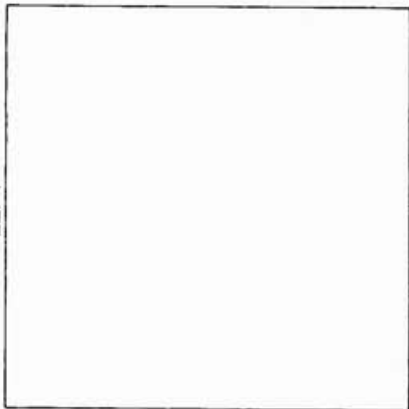
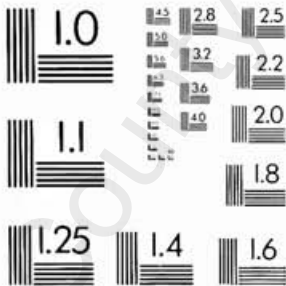


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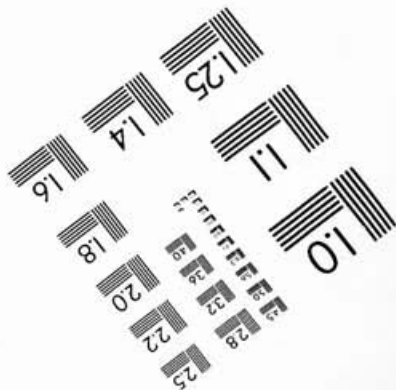
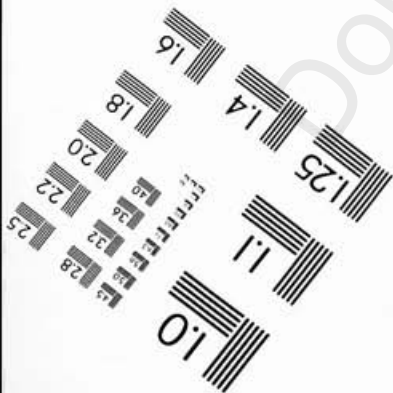
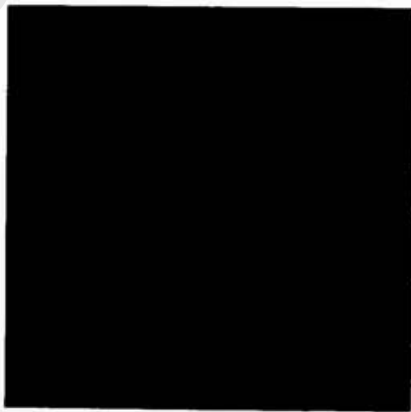


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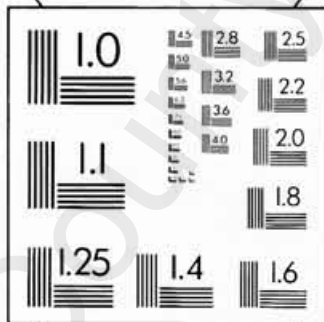
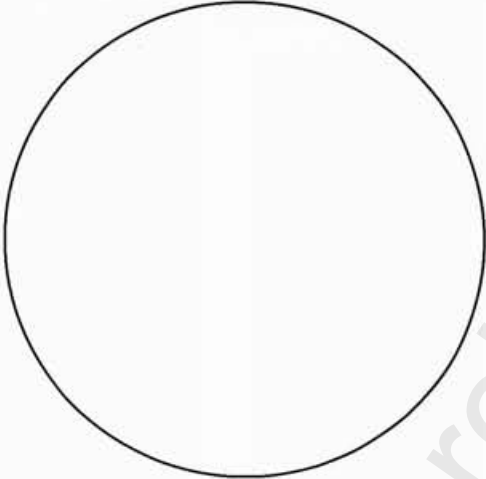
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FUTURA

NEWS GOTHIC

K2b8t Okjdg  
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Y0r8j A7o7q  
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SERIF (BASKERVILLE) SIZE SANS SERIF (MICROFONT)

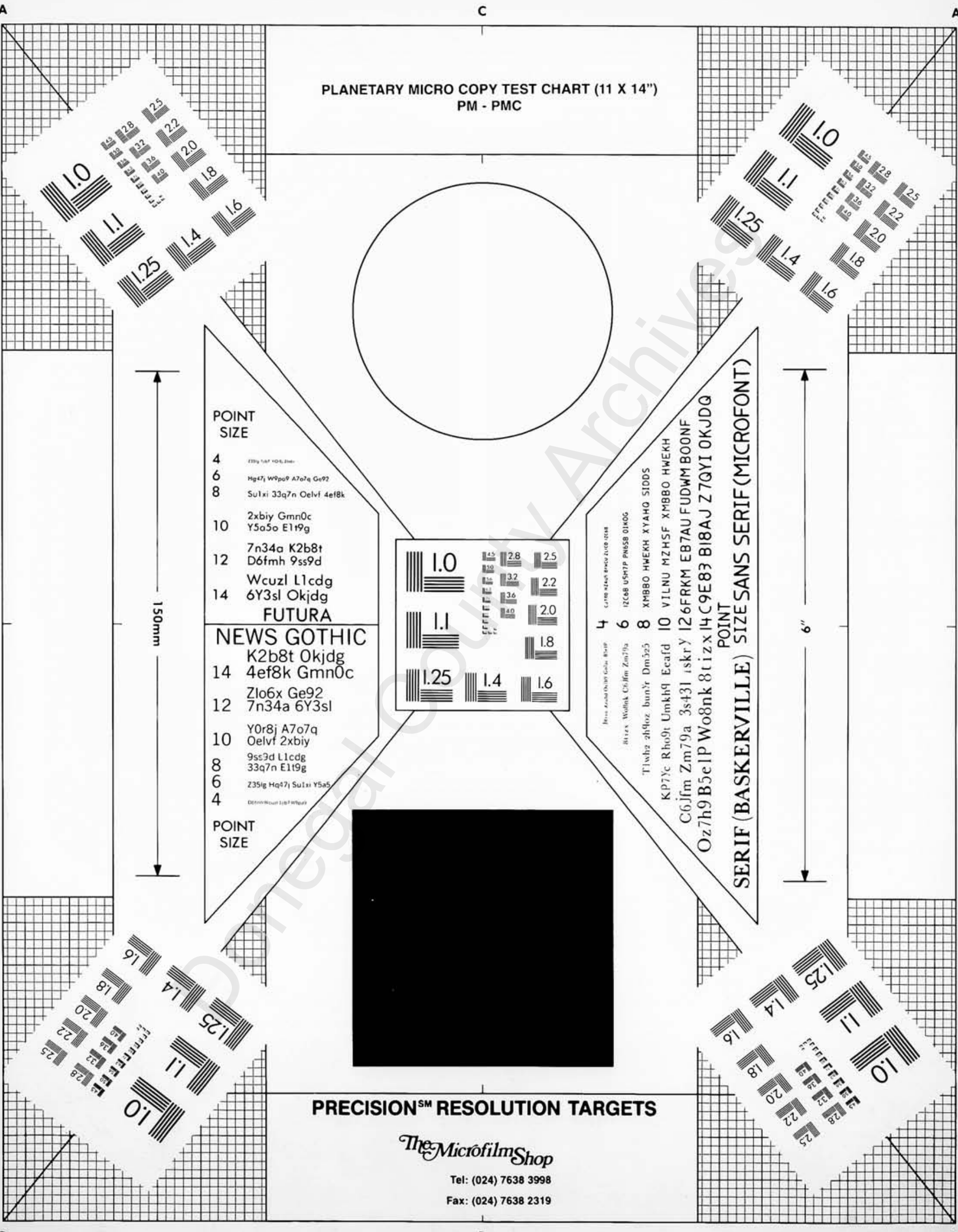
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PRECISION<sup>SM</sup> RESOLUTION TARGETS

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# **DONEGAL COUNTY COUNCIL ARCHIVES**

**RECORDS OF THE DONEGAL GRAND JURY**

**Donegal County Council**

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COUNCIL**

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**Donegal County Archives**

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Donegal County Archives



**GJ/1/7**

**Donegal Grand Jury**

**Grand Jury Assizes Minutes**

**1815 - 1857**

**Donegal County Archives**

Londonderry  
July 20 1815

To A. A. W.  
County Council of Donegal

John  
Herdman.

Summer Assizes 1815

A Motion was made and put by the Alderman  
that when the new line of road intended to  
be made from Lifford to Bifford shall be  
made it shall be of the breadth required  
by the mail coach act - which was adopted  
unanimously - A motion was made at the  
same time that a committee shall be authorized  
to employ an Engineer to take a Survey and on his  
oath to survey and insert or lay down a plan  
on the present map of the Survey by Mr Grey  
and now in the possession of the Grand Jury  
a plan of the aforesaid intended mail  
coach road from Lifford to Bifford  
stating the different materials fit for  
making roads and constructing bridges  
and all other matters of that description as  
the committee shall direct - and Sir Samuel  
Poyes Baronet Sir John Burgoyne & Robert  
Montgomery Esqrs & the said committee

J. H.  
Alderman

152  
Sent April 18th 1816

Whereas it appears to the Grand Jury assembled at this Assizes that a more eligible and level line of Road could be laid out between Fort Stewart Ferry and St. Johnston than the present line which is extremely hilly - The new line commencing at Portlough & passing thro' the Townlands of ~~...~~ <sup>...</sup> Mungliff, Mooneagh, Cloon, Flanagan, Trough & Dunder - We do therefore direct that our Engineer by & the Surveyors may employ some proper person to view & measure the said proposed line & the present line - and lay the same down on a Map - showing the levels & distance of each from the Tower of Newtown (Crimmin) & also estimating the expense of the new intended line

J. Stewart, Foreman

Whereas it appears that the various Barony Conservators are negligent in their duty & a heavy tax on the Barony, without rendering a suitable service, it is unanimously by the said that they shall be discontinued.

J. Stewart  
& Fellows

Ordered that for the future the County  
Treasurer shall print Copies of the  
Undischarged Liens - to be distributed  
with the Public orders.

Sept Assizes 1817 -

It is ordered that James Sinclair Esq  
Jr John Burgoine & W<sup>th</sup> Chambers Esq  
will discharge such prisoners confined  
for misdemeanor short term of imprisonment  
may expire, as may appear to them unable  
to pay their fees.

J<sup>th</sup> Stewart  
& Fellows

Resolved that Sir James Stewart Bart  
Mr. Mansfield Mr. Abbott & Mr.  
Sinclair be requested to examine  
the Broad Act of the last Session of  
Parliament & report their opinion  
of its probable effects at the next  
October Sessions at Letterkenny  
to the Magistrates there assembled

J<sup>th</sup> Stewart  
& Fellows

Ordered  
that, finding it necessary to remove  
Thos. Little the Keeper of the County House  
at Bryon by be appointed in his  
place & that the Sheriff be requested  
to establish him in the County House  
at such time previous to next Assizes  
as he shall find convenient

J<sup>th</sup> Stewart  
& Fellows

Sept Assizes 1819

Ordered that the Court House Keeper of  
Donegal, shall keep the Key of the said  
Court House, and that in future, he do not to  
permit Carriages Carts or Furniture of any kind  
to enter the said Court House, nor is he to  
permit it to be used as a School Room, After  
publ<sup>ic</sup> the 1<sup>st</sup> of April 1819

W<sup>th</sup> McKenna  
& Fellows.

Sept Assizes 1819

Ordered that part of Letterkenny Prison  
built & occupied by Cornet Dougherty  
be in future appropriated to the use of  
the Prisoners and that the Key of the said  
apartment be forthwith delivered to  
James Galagher of Letterkenny Constable

W<sup>th</sup> McKenna  
& Fellows

Sept Assizes 1819

The Grand Jury were directed by the Judge to make  
Entry of their investigation & opinion on the Petition  
of Robert Caley against a Presentment of Robert  
Caley granted in Summer 1816 to alter the line of  
road from Maucha to Goorey -  
examining the Petitioner & his witnesses the Grand  
Jury all unanimously of opinion <sup>that the allegations</sup> are unsupported by  
his evidence, & altogether contradicted

W<sup>th</sup> McKenna  
& Fellows

Sept Assizes 1821

Resolved that Colonel Parkhurst, James Leitch Esq. J. Stewart Esq. Sir Saml Hayes Sir Jas Galbraith Sir J. Bury Esq. Robt Bates Esq. and Andrew Ferguson Esq. & Sir Johnstone Esq. shall be Commissioners to carry into execution & inspect the addition to be made to the said Act of 1817 and that three of the said Gentlemen shall be a Quorum.

J. Stewart & Fellows

Sept Assizes 1821

Ordered that the Treasurer do proceed forthwith against Jas. Barnett & his Securities, to recover their Bond for £690

J. Stewart & Fellows

Sept Assizes 1823

The Barony of Raphoe having Presented only £130 instead of their Proportion £300

The other Barons have engaged to give it credit for the additional £170 at next Assizes.

Ed. Conolly & Fellows

Summer 1823

The Barony of Raphoe having Presented only £846 instead of their proportion £1170 - The other Barons have engaged to give it credit for the additional £324 at next Assizes

Ed. Conolly & Fellows

Summer 1823

It having been stated that it is the intention of the Company in Derby to run a Mail Coach from Derby to Lich - It is resolved that the most eligible line from Derby to Lich shall be surveyed, mapped and valued & be laid before the Grand Jury at next Assizes under the direction of Ed. Conolly.

Saml Hayes Esq. John Mansfield John Bury Esq. John Johnston Robt Bates Esq.

The Grand Jury have appointed a special Committee under the direction of the King consisting of

The Bishop of Raphoe D. Sir James Galbraith D. Sir John Lighter Sir John Bury Esq. Rev. Dr. Kelly Rev. James Jones Rev. Stuart Hamilton Johnstone Mansfield

They have entrusted the expenditure of the said to John Johnston who will direct the provisions to be purchased in the Public Market

Ed. Conolly & Fellows

Ordered that the Grand Warrant shall be delivered in one Month after the last Day of each Assizes, and that the Query Book shall be delivered in the same manner.

Ordered that the October Sessions for 1823 be held at Lifford on Monday the 27<sup>th</sup> October.

That the Road Sessions for Spring 1824 be held at Lifford on Friday 27 Feb<sup>r</sup>.

at Donegal on Monday 2 March

at Mount Charles on Tuesday 3 March

at Glenties — Wednesday 4 March

at Dettinenny — Friday 6 March

at Buncrana — Monday 9 March

Ed. Smith  
follows

It is an order of the Grand Jury that no individual shall be admitted into the Grand Jury Room on Road or any other business whatsoever without the express permission of the Foreman.  
Wednesday 24<sup>th</sup> of March 1824  
G. V. Hart  
& Fellows

Lifford 16<sup>th</sup> August 1824

The Secretary of the Grand Jury is directed in future before he lays applications for presentment, before the Magistrate at Sessions to enter them in a Book and number them and affix to each entry the decision of the Magistrate therein so that no delay may take place in the Printing as has now occurred and he is directed to have printed Schedules ready for delivery six days after the last Sessions for considering Presentments

G. V. Hart  
& Fellows

At Lent Assizes 1826

Resolved, That in future the charge for the entertainment of the Grand Jury from the day of opening the Commission shall not exceed one guinea per day for each member.

That all persons dining with the Sheriff on the day before the Assizes shall pay one guinea each

Mount Charles & Fellows

at Summer Assizes 1826

It is ordered by the Grand Jury, no person be presented for the County at Large, unless granted by the Grand Jury, and not by Barony Committees, and that no new work be presented

Summer 1826

Ordered, that Mr. Cochrane & Mr. Young shall  
with Mr. Johnston, attend as a Committee from  
the Grand Jury, on the line from Ballybofey to Derry  
through Baronsmore & direct that various presentments  
made and applicable to the completion of the whole  
line shall be attended & executed with Judgment  
Adapted

G. V. Hart  
& Fellows

Lifford Summer Assizes 1827

Resolved that an Engineer shall be employed to survey the most  
eligible line of Road from Lifford to Derry and that the following  
Gentlemen form a Committee for carrying the same into execution  
William Knox James Sinclair Esq & Sir John James Burgoyne

G. V. Hart  
& Fellows

Bunrana July 5 - 1827

My Lord

The observation of your Excellency relative  
to my complaint of 16th June causes me to specify the  
following charges against those members of the  
Donegal Grand Jury who have the arbitrary power  
over all presentments of the Barony of Cushawen  
(1) That a large sum has been taken off the county  
by their grant and disposed of under the pretence  
of building and furnishing a place for holding Quarter  
Sessions at Bunrana but no quarter Sessions have  
been held in this place nor is it of the least use to  
the Public, but has been let by the 4 Jurors (who  
obtained the Money) to build it for a Market Billiard  
Room Shop and other private purposes for the sole  
profit of the Juror and his family and that all  
the presentments has been removed without

any account rendered to the public -

That for several years and particularly in 1827 at  
the last Assizes those Members of the Jury have acted with  
avarice and partiality in granting to themselves and their  
friends large sums of the Public Money for making  
new Roads and Walls & for repairs of Roads and  
Bridges in a dangerous and ruinous state  
In March 1827 the total sum granted for Roads in  
this Barony was £1731-0-0  
of this sum the Jurors took 760-4-8  
granted to 7 of their Friends 657-5-10  
and left the trifling remnant to the Barony at  
large 313-9-6

The total sums granted at the same time for  
repairs of Bridges was £244-10-0  
of which the 5 Jurors took 196-10-0  
granted to 3 Friends 45-0-0  
and left to the Barony at large 3-0-0

That at the last Assizes they scratched out the name  
of an owner without any cause and substituted a  
person other than the holder of Lifford one of their own Tenants  
that while they had the virtue to take their large  
sums to themselves, they granted to a person whose  
Tenants contribute to the County less than  
any of their own the sum of 7 £  
That the result is that the Roads Bridges Fences and  
walls of Jurors & their Friends are too numerous and  
paid too much that their tenants have employment  
in the Pursuits of Road jobbing and Rents and Tithes as paid  
to the wages of labour while other parts of the County are  
destitute of Roads Bridges &c and are drained by the Jurors  
to pay for the Roads &c of a few greedy and corrupt  
men (2) That the Grand Jurors Comptrol  
land owners Attornies and the Stewards of the

of Absentees and attempts to obtain Rents from such  
them, from Magistrates or by Force at the Office of the Grand Jury have no doubt they will be able to  
only subject the Complainant to the Petty but effectually leave them unprotected - As to the defects of the present  
Unity (as far as presentments are concerned) of the system the Grand Jury of Donegal gave sensible  
parties accused -

From Minor Tribunals I therefore now have  
recourse to Government, and trust that your  
Excellency will consider the above such Misconduct  
if not violation of the law as to allow me an  
opportunity of proving these charges before  
impartial persons -

Now as my object is not to gratify  
private Resentment, but to obtain fair play for  
future for the Public Roads and Bridges I trust  
that your Excellency will be pleased to allow an  
investigation at the same time of the Defects of the  
Road system with a view to its complete Reformation  
In this Barony it is a disgraceful and wretched  
but might easily be remedied -

I will not however without permission venture  
to mention any alterations, have already taken  
the liberty of suggesting the British System, and  
conclude by respectfully begging an investigation  
of the grievances enumerated and am  
Yr Excellency's Obedt Servant  
John Harvey

The Grand Jury of Donegal assembled at their Office  
have read the letter which your Lordship has  
communicated to them from his Excellency the  
D. G. and in reply they leave to say that they con-  
sider the most public investigation of their conduct  
on all occasions and as to the specific charges of

which can be found contained in the letter of Mr Harvey  
Grand Jury have no doubt they will be able to  
As to the defects of the present  
the Grand Jury of Donegal gave sensible  
their existence and anxious that they should be remedied  
at the same time they feel it necessary to state that  
in their opinion the charges which have lately taken  
place in that system are far from salutary, but  
relying on the wisdom of the Legislature when fully  
informed they feel gratified to Mr Harvey for this  
opportunity of Disabusing the Public mind

14 August 1827

G. V. Hart  
& Fellows

Spring Assizes 1828.  
Resolved that Mr. Edgeworth shall be  
employed to survey the most eligible line of  
road from Stranorlar to Lifford, and to be  
carried on the Barony of Raphoe. The following  
Gentlemen to form a Committee for carrying  
the same into execution

- Sir Charles St. John
- Sir Ed. Hayes
- St. John Prati
- James Johnston Esq.
- Francis Mansfield Esq.
- Daniel Chambers Esq.

Spring Assizes 1828 -  
Resolved that Mr. Edgeworth shall  
be employed to survey the most eligible line  
of road from Cresslough to Rathfriland  
and that the following Gentlemen be



appointed a Committee to carry the same into execution - the expense to be levied off the Barony of Kilmacrenaw -

Sir James Stewart  
Alexander R. Stewart Esq  
William Stewart Esq  
Humphrey Babington Esq

Ed. Conolly  
Jellons.

J. W. Stewart  
Alex. W. Stewart  
D. Chamberlain  
H. Babington  
W. Stewart

Sept 1828 -

Resolved by the Grand Jury having taken into their consideration the Subject of Prisons in the Towns of Letterkenny & Donegal do hereby appoint the following Gentlemen to form a Committee for the purposes of providing Plans & Estimates & ascertaining the most eligible situations for erecting such buildings, to be laid before the Grand Jury at the next Summer Assizes, 3<sup>d</sup> December

For Letterkenny

For Donegal

Sir Edward Hayes Bt

Col. Conolly

Sir J. Stewart Bt

John Hamilton Esq

Ed. Conolly Esq

John Hamilton Esq

Ed. Conolly Esq

Ed. Conolly Esq

Ed. Conolly Esq

Sept 1828

Resolved that Sir R. Ferguson, S. J. J. Bygonne & Doct. Pojean be a Committee to carry into effect the alterations recommended by Mr. Edgworth on the line of Road from Carrifera to Claudy. Ed. Conolly Esq

Sept 1828 -

Resolved that a Surveyor shall be employed to examine & measure the most eligible line of Road from the Cross Roads at Moybeggs to Green Castle that the following Gentlemen form a Committee for carrying the same into Execution, to be levied off the Barony of Derrishmore - viz

Sir Arthur Chester Bt

Geo. Young Esq

John Hamilton Esq Ed. Conolly Esq

Summer 1828

Ordered that the Present Commissioners for erecting  
Bridewells at Letterkenny & Donegal be directed to receive  
plans & submit them to the Grand Jury for  
examining the building of two new Court Houses with the  
Bridewells, if they consider it expedient.

Ed. Conolly  
clerk

Ordered that

Sir Robt Ferguson

C. Gage -

A. Ferguson

R. W. Clontock

be appointed a committee to examine  
the most eligible line of road to avoid the  
hill at the 4 mile stone on the road leading  
from Lifford to Derry; and either to repair  
the former road granted upon the line now  
laid upon them, or to survey the same, & if  
to be laid out in such line as they may  
adopt - the expense to be borne by the Barony of Raphoe

Ed. Conolly  
clerk

Ordered that the following Gentlemen be appointed  
Commissioners for the erection of a Bridewell  
& Court House at Letterkenny according to  
the plans submitted to the Grand Jury

Col Conolly

John Hamilton Esq

Sir J Stewart

Will Stewart Esq

Sir E Hayes

Dan Chamber Esq

Sir C Hyde

W Wren Esq

A R Stewart Esq

R Young Esq

J J Atkinson Esq

James Johnston Esq

That the above Commissioners be empowered to carry into execution the erecting of a Prison and Court House at Litterkenny and to expend a sum not exceeding Nine Hundred and thirty pounds on the same

Ed. Conolly Esq.  
Jan 1828.

Ordered That a sum not exceeding six pounds per annum be granted for the disposal of the magistrates in the undernamed districts.

Thermonast  
Raphoe  
Ballychannon

Two pound each - An.

Newtown Cunningham  
Banjamin  
Ballyjordan  
Muff  
Moville  
Malin  
Glenties  
Ardara  
Killybegs  
Ballintira

Six pound each  
An.

Ed. Conolly Esq. 1828

Ordered That the present Court House at Litterkenny be disposed of by the Commissioners for erecting a new Court House and Prisons at Litterkenny in lieu of completing the said intended work in such manner as shall appear to them to be most advantageous to the County

Ordered that a sum of Three Hundred Pound be now presented of the County to the Commissioners of the above work to complete the new Court House and Prisons under the superintendence of John Hargrave Esq. Architect

Ed. Conolly Esq. 1829.

From April 1836 see order supra April 1836

Ordered that B. J. Murphy Esq. 1836  
Robt Montgomery Esq.  
Mr. Murphy Esq.  
Jas Seligson Esq.

W. Stewart Esq. Capt. Fenwick  
Sproule Esq. Mr. Evans  
Messrs Mansfield Esq. Mr. Law & Ramsay  
Messrs. Abner. Mr. John Spence  
appointed a Committee to examine and send in to the next Court Session for the Barony of Raphoe, the most eligible site of road between Raphoe & Glenties which shall make the Glenties a throughfare: it being clearly understood that no traffic for damages will be claimed the part of the Marquis of Abercorn a written engagement to that effect having been given by Mr. Murphy Esq. on the

Lifford Lark April 1829

Ordered That the line of Road from Shanvillar to Letterkenny lately surveyed by William Edgeworth Esq and entering by the Park Road be adopted: the Barony of Raphoe being charged with £2400 for the same, and the County at large generally with £1200

That the above Sums be raised at ~~four~~ <sup>eight</sup> instalments, ~~the~~ <sup>the</sup> eight<sup>th</sup> April, for forwarding the above work, and the Committee formerly appointed with the addition of Robert Montgomery Esq<sup>r</sup> prepare and forward the necessary proceedings.

Ed. Corbett  
M<sup>r</sup>

Lifford Summer Assizes 1829

We the Grand Jury of the County of Donegal Assembled at Lifford Summer Assizes 1829 do Present William Wolcott Spence of Lifford to be our Secretary in Room of Thomas Young Esquire deceased

G. V. Hart  
M<sup>r</sup>

Resolved that we concur in the sentiments of the Magistrates of this County expressed in their address to W. E. Major Esq<sup>r</sup> who for sixteen years discharged the duty of its Esquire Barrister in the most exemplary manner, and that our Foreman is requested to make known to W. Major this our unanimous resolution.

G. V. Hart  
M<sup>r</sup>

Resolved Unanimously that William Stewart Esq M D be appointed Physician and Surgeon to the Gaol of Lifford vacant by the death of Andrew Meade Esq

G. V. Hart  
M<sup>r</sup>

Resolved that a Mail Coach being established on the Road from Lifford to Letterkenny the repair of that line of Road be in future laid on the County at Large

G. V. Hart  
M<sup>r</sup>

Resolved that we approve of the new line of Road leading from Kilmacrenan to Greeslough between the Townlands of Drumbrack and Carrick as the same has been lately surveyed Mapped and laid down by William Edgeworth Esq Civil Engineer and that General Hart and Alexander Robert Stewart Esq are authorised to apply to Government for the loan of a sum of Money adequate to the purpose to be hereafter repaid by instalments to be raised off the Barony of Kilmacrenan

Grand Jury Room Lifford 15 August 1829

G. V. Hart  
M<sup>r</sup>

Resolved that Daniel deBorwick is appointed Keeper of the County House in the room of George Little and that said Little do give up possession of the House and the different articles now in his charge and an inventory of the same on or before the first day of November next and that said Inventory be recorded

Grand Jury Room Lifford 18 Aug 1829

G. V. Hart  
M<sup>r</sup>

Resolved that a Surveyor & Shaler be employed to survey the most direct line of roads from Newtown Bunnings to Lifford between Portlough and Saint Johnston and that the following Gentlemen be appointed a committee to carry the same into execution - viz Mr. Baron, Messrs. Robert S. Ferguson Sir J. P. Suggs Andrew Ferguson & Robert Abbott - This line will be surveyed by -

G. V. Hart and Fellows

Whereas it was resolved at Spring Assizes 1826 that the charge for entertainment of the Grand Jury from the opening of the Commission should not exceed the sum of one Guinea per day for each member

Resolved that the Secretary be directed to furnish the Sheriff with a copy of said resolution a week at least before each Assizes.

G. V. Hart and Fellows

Sept Assizes 1830

Resolved that the Jail Committee do forthwith take legal proceedings to recover from the Rev. Mr. Graham the sum of £84 due by him on the Balance of his Acc<sup>t</sup>. as Jail Inspector at Sept 1825. Ed. Conolly M<sup>rs</sup>

Resolved that in future no money be presented for any Dispensary where the Medical Attendant does not reside within the district

Resolved that this be added to the Grand Warrant of the present Assizes

Ed. Conolly M<sup>rs</sup>

Resolved that Daniel Todd Esq. John Hart Esq. John Harvey Esq. & George Young Esq. be appointed Commissioners for fitting the receiving proposals for fitting the Sessions Court House at Duncannon prior to General Quarter Sessions being held in that Town to be submitted to the approval consideration of the Grand Jury at the next Summer Assizes - Ed. Conolly M<sup>rs</sup>

Resolved that the Barony of Raphoe have credit to the m<sup>rs</sup>ery a sum <sup>if required</sup> of £119.15.0, that has not been expended, of their proportion of the sum levied off the County at large at the present Assizes Ed. Conolly M<sup>rs</sup>

Summer Assizes 1830

x Resolved that the Reverend William Hoop who has been appointed Supervisor of the Sale of Road between Rosgown & St. John in the Barony of Raphoe shall not expend more than the sum of Thirty Pounds yearly upon the same but not take effect till after next Assizes G. V. Hart & Fellows

x Resolved that so much of the work of the Lettering Office shall be accounted for at the next Assizes as shall be finished at that time and that the Secretary do publish this in the Grand Warrant G. V. Hart & Fellows

x Resolved that Proposals for the printing and distributing the Public orders be sent in to the Secretary of the Grand Jury previous to Spring Assizes 1831 That no proposal be received that is not sealed and some person do attend on behalf of the proposer at said Assizes The different Schedules of orders to be delivered to the High Constable of the different Baronies at the expiration of six weeks after each Assizes

Resolved that Sir Charles Boyle & Sir H. Kay's Barons Brookie Esq. & any other Magistrates they may choose to add to their number do constitute a Committee to examine fully for the length and towards Ballybeg & to employ a competent Engineer to ascertain whether or not the Rail Road can be introduced by that route to submit the whole to the Spring Assizes next year or to make it, if it should appear impracticable or exceedingly expensive G. V. Hart & Fellows

Resolved that the Barony of Raphoe have credit at the ensuing Assizes (if required) for the sum of £126 that has not been expended of their proportion of the sum ordered to be levied off the County at large at the present Assizes G. V. Hart & Fellows

Resolved that the Barony of Raphoe have expended the £119.15.0 for which they had credit at said Assizes G. V. Hart & Fellows

Spring Assizes 1831

Resolved that the Barony of Raphoe have also credit at the ensuing Assizes (if required) for the sum of £178 that has not been expended of their proportion of the sum ordered to be levied off the County at large at the present Assizes. G. V. Hart & Fellows

Resolved that in future the Grants to Dispensaries shall be as follows  
1<sup>st</sup> Class of Subscriptions £60; second class if under £60 £50; third class if under £50 - £40; Fourth class if under £40 Thirty Pounds; Fifth class if under £30 according to the amount subscribed G. V. Hart & Fellows

Sept 1831

Resolved that the Barony of Kilmacrennan have  
credit at the ensuing Assizes (if required) for  
the sum of £71-6-0 that has not been expended  
of their proportion of the sum ordered to be levied  
of the County at large at the present Assizes.

Ed. Ansell  
Clerk.

Summer 1831

Resolved that the Goal Committee do forthwith take  
such steps as shall be most effectual to recover the  
sum of £100 being a sum due by the Rev  
John Graham late Goal Inspector on the Balance  
of his Account -

J. Stewart  
Clerk

Resolved that in future any sums that may be presented  
to the Board of Superintendance of the Goats be lodged  
in the Provincial Bank in the names of

The Lord Bishop of Raphoe

Sir James Stewart K<sup>t</sup>

Sir Edmund Hayes K<sup>t</sup>

W<sup>m</sup> Fenwick Esq

Rev<sup>d</sup> W<sup>m</sup> Knox

Sir J. J. Burgoyne W<sup>m</sup>

Benj<sup>m</sup> Humphrey Esq

Johnston Mansfield Esq

Rev<sup>d</sup> Saml. L. Montgomery

to be drawn out and payable on checks signed by  
any three of the same and that the sum of

Eight Hundred Pounds which is now to be paid  
by the Treasurer for the use of this Goal be lodged  
in like manner

J Stewart  
Jellons -

Ordered that the Board of Superintendence do  
Receive Estimates and proposals for erecting  
an Iron Fencing on the wall to enclose the Lunatic  
Asylum and that they do not exceed the sum  
of £400 in executing the work to be accounted for  
by George Arnold -

J Stewart  
Jellons -

Ordered that the Treasurer be required to lodge  
the sum of £400 only at these Offices in the  
Provincial Bank in the name of the Board of  
Superintendence, and £400 more at the  
October Sessions in like manner

J Stewart  
Jellons

Ordered that Messrs shall on or before the 22<sup>nd</sup> Inst. submit  
to the inspection of the Goal Inspector and Sir J H Burgoynne  
all Accounts and Vouchers respecting the Goal which shall  
be by them laid before Capt. Fenwick, Capt. Humphrey  
and Johnstone & Manfield Esqrs or any three of the  
Board of Superintendence

J Stewart  
Jellons

Ordered that the printing of this County  
be given to Cooper Walker of Strabane  
at the same prices as given to Messrs Farrell  
& Grey at Last Offices -

J Stewart  
Jellons -

Session 1831

Ordered that the Committee appointed by the Grand  
Jury at Spring, 1828 for carrying into Execution  
a survey of a new line of Road from Stranorlar to  
Letterkenny be empowered to take the requisite steps  
for obtaining a grant of money for the completion of  
the same from the Commissioners appointed under the  
Act for the extension and promotion of Public works  
in Ireland - Dated this 6<sup>th</sup> August 1831 -

J Stewart  
Jellons

Ordered that the Secretary of the Grand Jury do  
cause advertisements to be put into the Bohannon  
Strabane & Derry Newspapers to receive plans  
proposals for erecting a Court House & Prisons  
at Donagall, to be laid before the Grand Jury  
at next Offices - The persons giving in  
plans to attend at said Offices with security  
for the performance of the work

J Stewart  
Jellons



Ordered that Colonel Conolly Sir Edmund Hayes and  
Alexander Robert Stewart Esq be empowered to  
apply to Government for a grant under the Act  
for extension and promotion of Public Works in  
Ireland for the purpose of carrying into execution  
the completion of the new line of Road from Cress  
to ~~Dilysca...~~

Wm Stewart  
Mellors -

Sept Assizes 1832

Ordered that the Thanks of this Grand Jury  
be given to the Board of Superintendance  
for the great Zeal they have manifested in the  
discharge of their arduous duty that  
the plan of keeping the Jail accounts & of  
providing the necessaries for the Prisoners  
be adapted by them since the last Assizes  
be acted on in future - and that an  
abstract of their accounts be added to the  
Grand Warrant at each Assizes -

Alex Stewart

Ordered that in future all summons presented  
over which the Grand Jury have no control  
be printed in Red Ink, and the rest as  
usual in black & a notification to that effect printed in  
the beginning of the Grand Warrant

Alex Stewart

Sept Assizes 1832

Ordered that the Secretary of the Grand Jury do  
with the advantage for proposals for printing  
Public orders and other printing work - To be  
Proposals to be handed to him one Week previous to  
the Assizes to be laid by him before Grand Jury the  
next day of the Assizes, when the parties are to  
stand & be prepared to enter into a contract for  
the year & the same same to be advertised in  
the County papers for self & follow

Alex Stewart

Ordered that the Commissioners for building  
Dougal Bridge be empowered to receive proposals  
for the same & agree with a proper  
person for the building the same

Alex Stewart

Ordered that the sum of Twenty nine Pounds  
in the hands of the Board of Superintendance  
granted for Crown Witnesses be appropriated  
to the purchase of a Clock for Lifford Jail  
with the express condition that no further  
sum will be granted for that purpose

Alex Stewart

Ordered that the Revd Mr Knop's resignation as  
Surveyor of the line of Road between Rosquer  
& Johnstown be accepted & that he shall occur  
as Surveyor in future

Alex Stewart

Ordered that the fuel necessary for the  
wiring of the public offices, be given  
under the control & direction of the  
Board of Superintendence

Am. Stewart

ordered that a copy of the public order shall be sent  
to the clerk of each petty sessions to be exhibited  
to the freeholders of his district.

Am. Stewart

~~Ordered that the treasurer shall deliver to the~~  
~~the year~~

Ordered that the Barony of Boyle  
is to have credit at the ensuing assizes  
required for the sum of Fifty one pounds  
ten shillings that has not been expended  
of their proportion of the sum ordered to  
be levied off the County at Lurg, at the  
present assizes - Summer Assizes 1832

26 July 1832

Ed. Conolly  
& J. Folson

Summer Assizes 1832

11/2/17

Ordered that the sum of One Thousand pounds  
of which £500, was presented at Summer Assizes  
1831 & £500, at Lent Assizes 1832, to Sir Edm<sup>d</sup>.  
Hayes Bart. Sir J. Chas. Styly Bart. Edm<sup>d</sup> Conolly  
Esq. John Hanwell Esq. Thomas John Atkinson Esq.  
James Johnston Esq. & Thomas Brooke Esq. Comptrol<sup>r</sup>  
to erect a new Bridewell & Court House at Donegal  
to be immediately after these Assizes lodged in the  
Provincial Bank of Ireland by the County Treasurer  
to the Credit of the said Comptrol<sup>r</sup> and that any  
three of them shall have power to draw for such  
sums as they may require to pay the Contractor, Expenses  
of printing postage &c amounting in the whole to the  
sum of £899, 10, 10. The balance to be applied to  
such purposes as the said Comptrol<sup>r</sup> or any three  
of them may direct (connected with said Court House and Bridewell)

Ed. Conolly & J. Folson

Ordered that Mr James Johnston be  
empowered to receive from Mr Boyd the  
Treasurer the money presented for the  
erection of the Donegal Bridewell &  
Court House and lodge the same in the  
Provincial Bank of Ireland at Day

Ed. Conolly & J. Folson



Summer Assizes 1834

Ordered That previous to any steps being taken towards the proposed division of the Barony of Raphoe into Half Barones, that Secretary be directed to give public notice in the Grand Court of the County of such division, specifying the various townlands to be included in each division in order to give the Freeholders a full opportunity of considering the propriety of this measure and of suggesting any modifications that may occur to them and that it appear in the next grand warrant for the County.

Ed. Conolly  
& follows

Resolved that in future each grand juror shall pay for his Dinner and Wine 10s 6d a day during the continuance of the Assizes and that all Magistrates and Clergymen shall be admitted to dine with the grand jury on paying the same sum and that strangers may on being introduced to the High Sheriff by a grand juror be admitted to dine on his invitation to dine on same terms -

Ed. Conolly  
& follows

Leint Assizes 1835

Resolved that if it should appear on the production of the Accounts <sup>of the disbursements</sup> that the payments by the Grand Jury and Strangers are insufficient to defray their amount that the Grand Jury to defray the surplus

J. W. Stewart  
follows

Ordered that the Secretary of the Grand Jury do advertise for proposals to be sent in to the Board of Superintendants of the Goal from persons willing to supply the standard weights and measures. All proposals to be sent in or before the first Monday of April 1835 -

J. W. Stewart  
follows -

Ordered that the County be divided into two divisions for the purpose of carrying into effect the weights and measures Act 1829

1<sup>st</sup> Division to comprise  
The Barony of Spinnishown Kilmacrenan  
The Parishes of Tauloyne All Saints  
Killeagh Lisk Preje and Comwell

2<sup>d</sup> Division

to

to Compagny the Remaining part of  
Naples and the Baronies of Baylye,  
Bonnagh and Lyshyft -

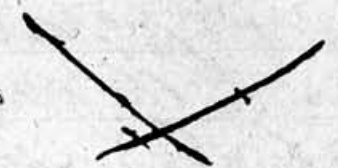
*J. Stewart*  
Cancellor *J. Wilson*  
*J. J.*

Resolved that no grant in future  
be given to The Fellowship or any  
other Dispensary, the Perquisites  
appendant of which is not <sup>in the District</sup> ~~not~~ <sup>in the District</sup>  
And that the Secretary of the Grand  
Jury, be directed to send a copy  
of this Resolution to the Treasurer  
of all Dispensaries, ~~to be~~  
~~considered in~~ ~~the~~ ~~County~~  
the ~~County~~.

*J. Stewart*  
follows

Resolved that the Secretary be instructed to write  
to the Editor of the Daily Mercury ~~to~~ ~~know~~  
know what he would take for advertising all the  
public notices of the County

*J. Stewart*  
follows



*J. Wilson*

Bridge over the Doyle

Resolved, that the Statement made in the  
Ludlow Journal of the 17th of March is erroneous  
in as much as no Committee of any Grand Jury of the  
County of Downal was ever appointed or authorized to  
act for the purposes mentioned in that Statement.

*J. Stewart*  
follows

Resolved that proposals for executing the entire  
of the Printing of the County by contract be  
sent in to the Secretary of the Grand Jury previous  
to next session

*J. Stewart*  
follows

The poor Solicitor having submitted to the Grand Jury  
letter from Government for payment of £3762. 3. 8.  
balance of Mayor Webb's accounts of 1822 & 1823  
the same resolution Bill Resolved Unanimously  
That the same be repaid

Summer 1835.

Ed. Conolly & Fellows

Ordered that Richard Lanyon Keeper  
of Letterkenny Bridewell be discontinued  
as such and that he returns to his duty  
as Turnkey in the County Goal and  
that Oliver Edwards be appointed  
keeper of the Bridewell in Letterkenny.

Summer 1835.

Ed. Conolly & Fellows

### Summer 1835

Resolved that the undersigned  
gentlemen be appointed a Committee  
to cooperate with the County Surveyor  
in ascertaining the most eligible  
line of road between Raphoe &  
St. Johnston, or between Raphoe  
& Derry, and that they do report  
to the Grand Jury at Spring Assizes  
1836, all circumstances connected  
with the proposed improvement  
which they may consider necessary

1. Rev. Lord Edm. Chichester
2. and the Hon. Mr. Esq.
3. James Johnston Esq.
4. Mayor Humphreys
5. Rev. Mr. Esq.
6. Mr. Esq.

Ed. Conolly & Fellows

That James Johnston Esq. be hereby appointed  
Master of the Derry Bridge on the part of this  
County under the Act of the 6<sup>th</sup> of the King

Lifford.  
Summer Assizes.  
1835.

Ed. Conolly & Fellows

Ordered that the Local Inspector of the  
Letterkenny Bridewell be requested to furnish  
on the last Saturday of each month to the  
Board of Superintendence in Lifford a report  
of the State of the Bridewell in reference  
to cleanliness order and the due observance  
of the Prison rules

Ed. Conolly

Fellows

Summer Assizes 1835 -

Resolved that a Committee to consist of the following  
Gentlemen be appointed to report on the best line of  
Road from Londonderry to Letterkenny ~~the~~ between  
<sup>Letterkenny and Newtown Cunningham</sup>  
John Vandeleur Stewart Esq

- Andrus Thurston Esq
- David Chambers Esq
- John Beers Esq
- James Blinster Esq
- Wm Kerr McEntee Esq

and that they be requested to communicate with  
the Government and the Board of works on the  
subject of obtaining a Grant or Loan for the  
completion of said Line

Mays

Ordered That a Committee composed of  
the following persons viz Sir James Stewart Bart  
Alexander Robert Stewart Esq John Vandeleur Stewart  
Esq Daniel Chambers Esq Wybrants Blinster Esq be  
appointed for the purpose of applying to the Board  
of works for a Grant or Loan of a sum of money  
to complete the intended Road from Letterkenny  
to Greeslough thro' Barnes Gap as laid down  
by the late Mr Edgeworth and that they be requested  
to report to the Grand Jury at the next Assizes the  
result of such application

Mays  
Hollons

Summer Assizes 1836

Ordered that  
Messrs J. Humphreys 1 J. W. Stewart Esq  
Messrs J. Humphreys 2 Robt. Montgomery Esq  
Messrs J. Humphreys 3 J. W. Stewart Esq

The Marquis of  
Sherrin  
Messrs J. Humphreys 4 J. W. Stewart Esq  
Messrs J. Humphreys 5 J. W. Stewart Esq  
Messrs J. Humphreys 6 J. W. Stewart Esq

be appointed a Committee to examine  
and report on the best road to be made  
for the widening of Rappin, the most eligible  
line of road between Raphoe & Letterkenny  
which shall make the former a  
thoroughfare it being clearly understood  
that no damages will be claimed by  
The Marquis of Sherrin for injury sustained  
by such a line of road as is now proposed  
and a written engagement having  
been given by his agent to that effect  
at these assizes, I directed to the fore-  
man of this panel by

Minutes of the Proceedings relative to the new line of  
Road, from Raphoe to St Johnston, as it appeared before  
the Grand Jury at Lifford, 19<sup>th</sup> July 1831

The Presentment for the sum of £3214.17.9 to make  
a new line of Road from Raphoe to St Johnston being  
read by the Secretary, and the Foreman of the Grand  
Jury having proposed that the Presentment should pass  
Major Humphrys on the part of the Marquis of Abercorn  
proposed that the present line submitted to the Grand Jury  
should be set aside and proceedings taken for the adoption of  
another between those points, which he had lately got surveyed,  
and stated that should this be agreed to by the Members of  
the Grand Jury he was authorized to declare that not only  
would no opposition be given on the part of the Marquis  
of Abercorn, but that any suggestion for the improvement of  
this line would be readily attended to, and no demand  
for damages should be made upon the part of the Marquis  
or any of his Tenants. He further stated that the line now  
proposed by him had not been so maturely considered as it  
ought to be previous to its adoption, and therefore moved  
that a Committee should be appointed to examine and  
Report upon it to ascertain what Improvements ought to be  
made in it consistent with the object he had in view which  
was that the Road should pass through the Town of  
St Johnston - a Town which would afford in future a  
very easy means of Transportation by water from Lifford and  
by facilitate the import and export of Coal, Slate,  
Lime, &c, that in short St Johnston was of such importance  
in his view that it was a sine qua non that any line chosen  
should pass through that Town, and if so decided every  
difficulty as he had stated would be given by him towards  
completion

John Humphrys



In pursuance of the foregoing proceedings, We appointed the following Committee, to examine and send to the Road Sessions for the Barony of Raphoe, such alterations and improvements upon the now intended line of Road mentioned above from Raphoe to St. Johnston, in order that the same may be brought before the Grand Jury for approval at next Assize:-

1. J. V. Stewart, Esq.
2. Robt. Montgomery, Esq.
3. John Humphys, Esq.
4. James Johnston, Esq.
5. James Sinclair, Esq.
6. William Fenwick, Esq.
7. Rev. W. Knox
8. W. James Rainey
9. W. Spear

Ed Conolly  
& fellows  
Summer Assize 1836

22<sup>nd</sup> July 1836

Resolved that the following proposal of Messrs Stewart & Deane to supply the Grand Jury with wine shall be accepted - by  
gentlemen

We would propose to contract for the supply of wine for the use of the Grand Jury delivered free of further expense and would engage to place them in the cellars two months at the least before the Assize

Superior Old Port @ 42/0 per Dozen

Superior Sherry @ 42/0 per Dozen

Best Claret @ 34/0 per Dozen

Best Champagne @ 36/0 per Dozen

We are gentlemen

Your very Obedient

Stewart & Deane

Ed Conolly

Ed Conolly  
& fellows

W. James Rainey  
W. Spear  
W. Fenwick  
W. Johnston  
W. Humphys  
W. Stewart  
W. Deane

W. Fenwick  
W. Johnston  
W. Humphys  
W. Stewart  
W. Deane  
W. Rainey  
W. Spear

Ed Conolly

W. James Rainey

W. Spear

W. Fenwick

W. Johnston

W. Humphys

W. Stewart

W. Deane

Lifford Lent assizes 1837

Resolved on inspection of the Ordnance Survey Maps of this County that we approve of the same and direct Messrs. Hodges & Smith to furnish us with two sets viz one made up in Baronia on spring rollers for the Grand Jury Room as per estimate and plan submitted to us, and one other of each Barony <sup>County</sup> in portable cases with folding margins, for Road Sep the entire cost thereof to be £344.15.0 one half to be ~~raised~~ raised off the County, <sup>at next assizes</sup> and the other half at the ~~next~~ <sup>next</sup> assizes, <sup>following</sup> the Maps to be forwarded to our Secretary on or before the first of July 1837

I have agreed with Messrs Hodges & Smith Agents for Sale of the O.S. Maps of Ireland - <sup>Warrant follows</sup> John B Doyle Travelling Agent -

Ordered that the Secretary of the Grand Jury shall publish in the Grand Warrant to be issued after these Assizes the return lodged with him respecting the several Dispensaries in the County - <sup>Warrant follows</sup>

Ordered that the Treasurer be instructed to prepare an abstract of his account to be laid before the Grand Jury at each Assize

and that the Secretary shall have it published in the Grand Warrant - <sup>Warrant follows</sup>

Ordered that the Co Surveyor be recommended not to appoint any person to the office of his Deputy who shall be above the age of 35 years at the date of his appointment - <sup>Warrant follows</sup>

Resolved that the Grand Jury cannot at the present Assizes discharge the Securities of the late Treasurer, but that the Representatives of the late Treasurer do now pay over to the present Treasurer Cash Balance of Cash representative now shown and that an accountant be employed to investigate such accounts and make a report on the same previous to next Assizes in order to the final discharge of the late Treasurer's Securities - <sup>Warrant follows</sup>

Resolved that Mr. Boyd having at our request agreed to hand over to the Treasurer such a portion of the Bullion of the public money in his hands as will enable the Treasurer to pay the Applications for the present Loans presented previous to Lifford Assizes 1836 and now discharged amounting to nearly £1000 we the undersigned Grand Jurors now remain at the Assizes beg to express to him our high sense

of such a line of conduct whereby the great inconvenience which would otherwise arise to the public from his holding over the entire bill same until Recovery shall be discharged is avoided

John Freeman

W. Harvey

Geo. Young

Henry Stewart

Henry Stewart

The Grand Jury of the County of Down at Summer Assizes 1837 feel bound to refuse the presentment No 244 it appearing to them that a very large sum is due by the Treasury to the Surveyors of this County which the Irish Government will not pay and also it having been enacted by 6 & 7. W. 4. that in case "at any time of passing this Act any sum of Money shall be advanced from the consolidated Fund which is to be repaid by Grand Presentments it shall not be lawful to make Presentments for repaying the same unless demanded within five years before the making such Presentments" This enactment declares to the Grand Jury the declaration of a principle that when the Government shall not demand a sum advanced shortly after the transaction there is room to presume against the justice of the demand and in this case the demand was made for eight years during which time in fact the Government was, on a fair settlement of accounts, indebted largely to this County so that not only the presumption is strong but the fact undoubted that the demand is unjust

Ordered That the following Gentlemen do form a Committee for the purpose of auditing the Treasurers Accounts

Thos James Stewart Esq.

Thos Brooke Esq.

Benjamin Gale Humphrey Esq.

and

William Fenwick Esq.

J. Conolly

L. Gellons

20<sup>th</sup> July 1837

Grand Jury Room 20<sup>th</sup> July 1837

Resolved that the Surveyor be instructed to give notice to the Contractors for the repair of Roads that the full quantity of broken stones or Gravel required by each Contract should be spread on the road before they get their Certificate at each Assizes and that this resolution be printed in each Grand warrant

Wm Gellons

Summer 1837.

~~Resolved That the County Treasurer be directed to proceed against Mr. Staff & Scott late High Constable of the Barony of Banagh and his securities for all balance due on foot of his account as collector of the County Tax owed to be levied at Lent Assizes 1836~~

Cent. Assizes 1838

Ordered that in making up the accounts of the Grand Jury for their dinners &c that the Sub Sheriff shall make a charge of the sum of Five Shillings per head upon every Member of that Body over and above all other Charges which sum shall be paid to the Keeper of the County House in lieu of the sum formerly presented to him.

John Jellons

Ordered that at next Summer Assizes there shall be appointed two Collectors of the Public Cops for the Barony of Linnisowen one for each half Barony

John Jellons

The attention of the Grand Jury having been directed to the conduct of the Deputy Surveyor of the Barony of Kilmacrenan in having received money from certain contractors to commence him for other works incurred in examining work in order to taking it off their hands. It is ordered that such conduct is exceedingly reprehensible and that the report conveyed to him by the Barony Committee be repeated in presence of the other Deputy Surveyors of the County, and further that it be communicated to them that they are not to take any money or present from the contractors upon any pretence or for any cause whatsoever, committed to their official duties upon pain of being charged.

John Jellons

Lifford Cent Assizes 1838

Ordered That the High Constables now appointed do give their securities upon the Form of Bond now in the hands of the Treasurer and that the said Bonds when prepared be submitted for opinion of Council at the close of the Assizes and if pronounced insufficient that same Bonds agreeably to his advice be signed at the next Assizes and that the Treasurer may pay the expenses of such opinion of Council out of the unappropriated funds in his hands provided the same shall not exceed Three Guineas

John Jellons

Ordered

That in future all the contracts for seven years for the keeping of Roads in Repair shall be printed at the Commencement of the Session in Alphabetical order

John Jellons

Lifford 26<sup>th</sup> July 1838

Ordered That A R Stewart Esq J. V Stewart Esq Daniel Chambers Esq Jas. Watt Esq and The Rev. A Hastings do form a Committee to superintend the intended line of Road from Letterkenny to Kilmacrenan

and that

Jas James Stewart Bart A R Stewart Esq James Watt Esq James Cochran Esq Samuel Sproule Esq do form a Committee to superintend the intended line of Road from Ramelton to Kilmacrenan Presentments for making both lines having passed at these Assizes

Ed. Croft Jellons

Ordered That Robert George Montgomery Esq  
James Johnston Esq  
William Fenwick Esq  
Benjamin Geale Humphrey Esq  
and John Humphreys Esq

do constitute a Committee for the purpose of investigating  
certain charges preferred by the Rev. Wm Knox and others  
against the County Surveyor for neglect of duty upon the  
line of Road leading from Raphoe to St. Johnston and  
that the said Committee do report to the Board of Works the  
result of the investigation should they deem it right to do so

Ed. Conolly  
& Fellows

Ordered That Mr. McInerney  
Major Humphreys  
Capt. Humphrey  
Mr Johnston  
Mr Fenwick

do constitute a committee to examine  
the Treasurers Acc<sup>t</sup> at the present  
office — 27 July 1838.

Ed. Conolly  
& Fellows

Resolved That we approve of  
Mr Parker of Abbey St. Dublin supplying  
the Grand Jury with Wine at prices  
not exceeding those proposed by Mr Stewart  
Ed. Conolly.

Ordered that the Treasurers be directed to  
publish in the next grand warrant that the  
Baronial Collectors are required by law to pay the  
amount of the Treasurer's warrants as delivered  
to them two days at the least before each assize  
and that the Collectors be directed to begin the  
collection in the respective Baronies immediately  
on receipt of the Treasurers warrants and that  
he also be directed to have hand bills struck  
off and circulated to the same effect —

Ed. Conolly  
& Fellows

Ordered That the Treasurers be directed  
to state the necessary law proceedings  
against the late Scott & his associates  
for the recovery of the claims due by  
them as Barony collector of Banagh —

Ed. Conolly  
& Fellows

Ordered That Mr. Spence be directed  
to produce the presentment for  
the recovery of the Borrowing of  
Dunbarrow at West Spring Spence  
July 31<sup>st</sup> 1838  
Ed. Conolly  
& Fellows

Lifford Spring Assizes 1839. 18<sup>th</sup> March 1839

Ordered That a Committee consisting of the following persons  
formed for the purpose of procuring plans and estimates  
erecting a Court House and Bridewell in the Town of Bunc  
The Cost not to exceed the sum paid for the Building the  
House and Bridewell at Dromahair

Name of Committee

David Todd Esq.

John Harvey Esq.

Charles Norman Esq.

Andrew Ferguson Esq.

Samuel John Crookshank Esq.

and The Hon<sup>ble</sup>. Peter De Macarnee

That the Plans be laid before the Grand Jury at next Assizes

Copy

May 1839

To the Knights, Citizens & Burgesses in Parliament  
assembled - The Humble Petition of the  
undersigned yeoman and Jurors assembled at  
Lifford at next Assizes 1839 -

Assembly sheweth.

That your Petitioners  
are led to believe from 7<sup>th</sup> Section of the  
4<sup>th</sup> of Geo: 4<sup>th</sup> Chap. 33 - that their County  
Treasurer cannot be directed by them  
or any other Authority to give his attendance  
for one or two days subsequent to each  
Assize at those Barony towns in the  
County at which their County Court  
established Branches, or to which it  
undoubtedly send an Agent.

That from the Situation of  
this town placed on the border of our

County great inconvenience is sustained  
by those in the remote parts of it, who may  
be entitled to receive payment from the  
County Treasurer for public works, many  
of them having to come 40 miles to view  
Comparatively small Sums.

That the Manifest  
operation of this must have been  
either to impose a tax on the industry  
of those employ'd by the County; or subject  
it to the payment of an increased  
price to remunerate that Labour  
In the one case inflicting injury on  
the employ'd - in the other on the Employers

That your Petitioners consider  
that County Treasurers are amply remun-  
erated for any labour they may have  
in connection with the discharge of  
their duty, and therefore humbly pray  
that your Hon<sup>ble</sup> House will alter the  
before recited Act, as to authorize the  
Grand Jury of each County to direct  
their County Treasurer to attend for one  
or two days after each Assize at those  
Barony towns in their Counties, which  
they may consider most convenient  
for the payment of the County money.  
And your Petitioners as in duty  
bound will ever pray -

Signed by 22 of the 23  
Grand Jurors

*[Faint, illegible handwriting on the left page]*

*[Faint, illegible handwriting on the right page]*

*[Faint, illegible handwriting on the right page]*

Donegal County

Archives

Resolved-

That the foregoing Petition to Parliament on the subject of the office of County Treasurer, be committed to the care of our County Representatives for presentation to Parliament, that they be requested to urge its passage in the strongest manner upon the Legislature, & to call the attention of the Irish government to it.

Attys. & fellows

Ordered that the following persons be a Committee for the purpose of enquiring into the manner in which it is proposed to carry into execution the new line of Road from Mullford to Glen and to lay a Report upon the same before the next sitting of the Legislature.

- Mr James Stewart
- Mr Stewart Esq
- Mr Stewart Esq
- Mr. Wate Esq
- Mr. Lockman Esq
- Mr. Spradley Esq
- Mr. W. W. Esq

Attys. & fellows

Resolved-

That our Secretary send the Names of all Contractors who should have had their works completed at the end of the year 1838, to Mr Murray, Esq. Crown Solicitor, in order that proceedings may be taken against them at the next April Sessions for nonperformance of their contracts.

Attys. & fellows

Resolved-

That the Sheriff be permitted to invite any gentleman to dine with the Grand Jury, or being introduced by a Grand Juror; and that such Grand Juror shall be charged 15/- for his friend's dinner & wine.

And further that he <sup>(the Sheriff)</sup> be permitted to invite any persons, in any manner proper, the expense of such guests shall be chargeable to the Grand Jury generally; provided that the entire number of guests & persons so introduced to the Grand Jury, do not exceed thirty five.

Also, that the same Rule as above stated with regard to dinner shall be applied to Venue by the Sheriff & that the Sheriff's County Treasurer shall be considered as Grand Juror, & pay accordingly.

Attys. & fellows



Resolved, that it be referred to the Board of Superintendance to procure a plan and take the necessary steps for erecting a gallery over the Grand Jury Box the appropriation exclusively to Magistrates, Clergymen and County Gentlemen during the sittings.

Mayers  
fellows

Resolved that a sub committee be appointed to investigate the amount the balance of the "map & statute" now remaining to the credit of the county & to lay out so much thereof as may be necessary for the purchase & fitting up of fit premises to hold the statutes belonging to the grand jury, & also to procure better copies of the statute with the annual continuation thereof already published & to have the same ready at next Assizes.

That Captain Church & Captain Humphrey be appointed such sub committee

Mayers  
fellows

Resolved that Mr. Steelman be directed to advertise for the repair of the Main road under the Board in order to prevent the present expensive system of repairs under the Board of Public Works.

Mayers  
fellows

Resolved that the sum of £100 be granted to Joseph Kelly of Maghera at Summer Assizes 1839 for repairing a road in the barony of Kilmacrennan & discharge subsequent to summer Assizes be now paid to John Kelly sister of said Joseph Kelly

Mayers  
fellows

Lifford Summer Assizes 1839  
Ordered That the following Gentlemen do form a Committee of Commissioners for building a Sessions House and Bridewell at Buncrana, and they are hereby empowered to direct the County Surveyor to make out Specifications &c &c

Names of Commissioners

- 1 Andrew Ferguson Esq
- 2 William Kerr Esq
- 3 John Harvey Esq
- 4 George Young Esq
- 5 Charles Norman Esq
- 6 Thomas D. Bates Esq
- 7 The Rev. William Knox
- 8 The Rev. John Molisworth Esq
- 9 Hugh Lyle Esq
- 10 Samuel John Crockett Esq

Ordered That George Canning of Aught be prosecuted for non performance of his contract No 121 in the Grand Warrant of Spring Assizes 1839 for the West Half Barony of West Carrisborow

Ed. Conboy  
Sh. Br.  
Ed. Conboy

on the report of Mr. Anderson Postmaster  
of Moville.

Edw. Smith

Ordered that the following gentlemen do form  
a Committee for expending the sum of £20  
exceeding Twenty pounds for painting & repairing  
the Whicther Seating, and altering the Benches  
in several Sessions, and are hereby required  
to get a specification from the County Surveyor

- Names of Committee
- 1. Mr. Johnston
  - 2. Mr. L. McKinnon
  - 3. Alex. Macmillan Esq.
  - 4. Thomas Brooke Esq.

Edw. Smith

Ordered That the County Surveyor be directed to  
make surveys of a new line of  
communications between Letterkenny and  
Ranelagh

That to ascertain the best line  
of communication between those two Towns  
he be directed to survey one line by the  
Port Bridge and the other going direct  
to the Court House of Letterkenny to be ready  
for the January Road Sessions

Edw. Smith

Resolved That a Committee consisting of the following  
Gentlemen be appointed to report upon the best line of  
road from Londonderry to Letterkenny between the  
Towns of Letterkenny and Newtonlunningham and that  
they present their report and the result of their personal  
inspection of the best line to the Magistrates and  
Justices - assembled in Road Sessions at Lifford for  
the Barony of Raphoe previous to Spring Assizes 1840

- 1. Samuel Delap Esq.
- 2. James Johnston Esq.
- 3. Alexander R. Stewart Esq.
- 4. Sir Edmund T. Hayes Bart.
- 5. Andrew Ferguson Esq.
- 6. William Fenwick Esq.
- 7. Henry Stewart Esq.
- 8. John Beers Esq.
- 9. Robert George Montgomery Esq.
- 10. John Vandeleur Stewart Esq.

Edw. Smith

Resolved that the Secretary of the Grand Jury, the  
County Surveyor and deputy Surveyors be directed to  
attend at the Sessions on the requisition of the Sessions  
Crown Solicitor to produce the necessary proofs in  
proceeding against defaulters, and that the County  
Surveyor previous to each quarter Sessions do furnish  
the Sessions Crown Solicitor with a list of those defaulters  
whom he deems it right should be proceeded against

Edw. Smith

Resolved That the Committee consisting of the following gentlemen at present acting on the new Raphoe and Derry road be further empowered to report on the manner of improving the line between Raphoe and Conroy

- 1 Robert George Montgomery Esq
- 2 James Johnston Esq
- 3 William Fenwick Esq
- 4 Benjamin Geale Humphrey Esq
- 5 John Vandeur Stewart Esq
- 6 John Humphreys Esq
- 7 James Sinclair Esq
- 8 Mr. William Knox
- 9 Mr. Samuel Ramsay
- 10 Mr. Speer with the addition of Henry Stewart

Ordered that the Valuation of the remaining Barony of Raphoe. Kilmacrennan & Boyle be taken in the Ballyshannon

Edmond

Grand Jury Room Summer Assizes 1839

Resolved That the Board of Superintendence of the Gaol, be requested to carry into effect the recommendation of the Inspector General of Prisons with respect to employing the Prisoners in trades as far as is practicable, with a view to economy, and producing an increase of profit from the labour of the Prisoners.

Ed. Noble  
J. Fellows

Resolved That the County Surveyor be directed to examine & estimate the damage done to the roads & bridges in & near Ballyshannon by the sudden flood on the 26<sup>th</sup> July with a view to applying to the Comptrol<sup>r</sup> of public works for a sum of money for the repair of the same.

Resolved That the following gentlemen be appointed a committee to whom the Surveyor shall submit his estimates & such committee is hereby authorized to take such steps as may be necessary for procuring the same from the Board of works & disbursing the same with the least expense.

- |                   |                       |
|-------------------|-----------------------|
| John J. Murray    | John B. Boyd          |
| Robert Montgomery | David Chambers        |
| James Johnston    | Michael O'Shaughnessy |
| J. H. Stewart     | James Watt            |
|                   | Edmond                |
|                   | J. Fellows            |

Ordered

That The Managers of The  
Bank at Stabane do furnish to  
Grand Jury at the next Assizes the  
of The County Downgal since it was  
title sent Assizes 1840, and that  
Grand Jurys Secretary do send  
The Manager of The Belfast Bank  
Stabane a Copy of this order.

Ed. Conolly

Summon Assizes 1840.

Resolved That James Hillard  
of Edinmore be relieved from his contract  
from Ballycopy to the pop roads, at his  
own request - the price being ruinously  
low, & both he & his securities being  
very poor men -

James Hillard Ed. Conolly

Resolved That Joel Boyce of Ballymacool be  
relieved from his contract to repair for seven  
years the Road from Lettinkerry to Glenties  
at his own request the price being ruinously low  
and he and his being very poor

Ed. Conolly

Resolved That as it appears from documents laid before  
the Grand Jury by the Crown Solicitor that it is the  
intention of His Excellency the Lord Lieutenant to direct  
that a New Court House shall be erected in the Town of Glenties,  
that we have not only on the present Occasion, but also  
on two former ones maturely weighed and considered the  
subject in question, we are of opinion that the erection of  
a Court House is unnecessary and inexpedient, that even  
were it not so, that the sum which the Grand Jury are  
called upon to present for said purpose is excessive - in-  
asmuch as a Court House which has lately been erected in  
the Town of Bangal where the public business is threefold  
greater than it ever can be at Glenties did not exceed the  
sum of £.

The Grand Jury however viewing the position in which  
they are placed, and seeing that it is the intention of  
His Excellency the Lord Lieutenant to direct the erection  
of a Court house in Glenties contrary to their opinion on  
their Oaths - as he is by law empowered, do Resolve that  
a sum not exceeding £650 be presented for said  
purpose - that such sum is in their opinion quite adequate  
for such a purpose in which opinion they are borne out  
by the testimony of the County Surveyor - Resolved  
that a Memorial be addressed to His Excellency the Lord  
Lieutenant praying that as he has in the exercise of the  
power given him by the Act of Parliament, determined  
to have a Court House erected at Glenties, the plans  
estimated made out by the County Surveyors, or  
may be adopted, and that the County may not be  
burdened with such an excessive Charge as that pro-  
posed by the Board of works - Resolved that

that in the full hope that His Excellency the Lord  
Lieutenant will accede to the prayer of the Memorial  
that the sum of £650 be now presented for the  
purpose of erecting the said Court House

Ed. Conolly  
& J. M. M.

Ordered That the County Treasurer be directed to have  
made out of the Field Books of the County of Down  
furnished to him under the Ordnance valuation  
and to have the same printed in Parishes so as to  
able to furnish copies to such persons as the  
Law directs and to all others not entitled by  
or paying for same

Ed. Conolly  
& J. M. M.

Ordered That a proper and efficient person be appointed  
at least. Asurveyor as assistant Surveyor for the  
West Half Barony of Enniskillen

Ed. Conolly  
& J. M. M.

Ordered That the Commissioners appointed for the  
superintending the erecting of the Barracks  
Bridewell and Court House do procure  
a lease of the Plot of Ground fixed on  
as the site of said Bridewell and Court House  
to be conveyed to them by William Kerr esq  
for the term of Ninety Hundred and Ninety  
nine Years at the Rent of a peck per corn if demised  
and that Mr. Sproule do prepare such Lease  
as an Solicitor and have it registered, further  
that the said Commissioners do convey to the  
said

Said William Kerr esq. Blount the Title and Interest  
of the County of Down in the present Session Court  
House for the Term of Ninety Pounds, that to be paid  
when the necessity for using the said Court House for  
the public business of the County shall cease

Ed. Conolly  
& J. M. M.

To His Excellency the Lord Lieutenant of Ireland  
The Memorial of the Grand Jurors of the County of  
Down imp. d. 25<sup>th</sup> July 1840  
Assembly thereof

That your Memorialists have been called  
upon to present a Sum of £900 for  
the purpose of building a Court House  
in the Town of Glenties by a Certificate  
forwarded under order from Your Excellency  
by the Secretary of the Board of Works

That in hesitating or refusing to pass such Presentments  
your Memorialists are not influenced by any other  
feelings than those of duty as Grand Jurors they trust  
it is unnecessary to declare but your Memorialists  
decline to pass the Presentments for £900 because in  
the first place with the local knowledge of your  
Memorialists they are of opinion that no such building  
is require at Glenties and secondly because if such  
a Court House is to be built there your Memorialists  
are certain both from their own knowledge and the  
information of the County Surveyor that it can be  
built for a much less Sum your Memorialists in  
order to meet the commands of Your Excellency's  
Government that a Court House should be built at  
Glenties have passed a Presentment of £640 the

Sum specified by the County Surveyor as sufficient for that purpose and do earnestly beg that such Sum may be accepted and your Memorials will ever be

Ed. Conolly

In the case of Nathaniel Scott a defaulting High Constable and Collector of County cess for the Barony of Banagh

Summer Assizes 1840

Ordered That the County Treasurer do cause immediate proceedings to be taken against the said Nathaniel Scott for the balance due on foot of his Bond to the late Treasurer

Ed. Conolly

Resolved That for the future the Secretary of the Grand Jury shall receive the directions of the Justices at Road Sessions as to what advertisements he shall publish and in what Newspaper they are to be advertised and that the charge of such advertisement shall be placed to the Account of each Barony respectively

Resolved That the Clerk of the Peace Treasurer and Sheriff be directed not to publish any other thing in the public Papers at the expense of the County but such as they are directed by Act of Parliament, and to be inserted

the Derry Sentinel only till next Ed. Conolly Assizes

Resolved That John Thornely of Moyne be appointed Deputy Surveyor for the <sup>concomitant</sup> Lifford Half Barony of Raphoe and John Loagan of Floghan be appointed Deputy Surveyor for the <sup>concomitant</sup> Lower half Barony of Raphoe

Ed. Conolly

Resolved That the consideration of the Question of dividing the Barony of Raphoe be postponed till the next Assizes when the Subject will be entered into and that the Publication of this Resolution in the Grand Warrant shall be a sufficient notice to all persons interested

Ed. Conolly

Ordered That the County Treasurer be directed to hand over to the Board of Superintendants of Lifford Gaol the sum of Fifty two pounds thirteen <sup>shillings</sup> and nine pence Amount paid for Maps and Statute Money and the Balance of Weights and Measures (after deducting such presentments as are to be paid out of same) for the Survey Building Office for the County Treasurer and Secretary of the Grand Jury

Ed. Conolly

1840

County of Donegal  
Summer Assizes 1840

Ordered That our County Surveyor shall  
communicate immediately with the County Surveyor  
of Leitrim and appoint to meet him for the  
purpose of laying out the site of a Bridge at  
Bundrows on the Road from Ballyshannon to  
Sligo across the River dividing the Two Counties  
and that he shall at the next presenting Sessions  
bring forward the necessary Application and that  
Colonel Connelly, Tho<sup>s</sup>. J. Atkinson Esq<sup>r</sup> & Alex<sup>r</sup> Hamilton  
Esq<sup>r</sup> be requested to act as a Committee in conjunction with  
John Dickson Esq<sup>r</sup> & Cairnes Esq<sup>r</sup> ~~Esq<sup>r</sup>~~ upon  
the part of the County of Leitrim.

ordered

J. Conolly and fellows

Spring Assizes 1841

Ordered That a committee to consist of the undernamed  
Gentlemen be appointed to carry out the new line of  
Road from Sittinkerry to Kaminlton Viz

Mr James Stewart Bart

David Chambers Esq

James Green Wood Esq

James Wall Esq and

Samuel Sprone Junr Esq

Wm. Smith  
& others

Ordered That the following charges against William Wblintock  
Spencer Secretary of the Grand Jury and minutes of circumstances  
attendant upon them and the decision of the Grand Jury thereon  
be entered on the Resolution Book

On Monday the 15<sup>th</sup> Inst Moved by Lord Clements that  
the Conduct of the Secretary of the Grand Jury in bringing  
forward the sheet with his salary entered upon it is  
improper and renders him unfit to be continued in his Office

Not seconded the resolution put to each of the  
said Grand Jury and negatived Unanimously

Same day Grand Jury heard evidence in support of a charge  
preferred by Thomas Bateson Esq to wit.

Toke notice that it is my intention to  
produce evidence before the Grand Jury to show that you  
improperly procured payment from the Treasurer of the County  
to yourself of a sum of Twelve Pounds Three Shillings being  
the amount of Presentment No. 50 put upon the Levy of the  
County at Large by order of the Grand Jury assembled at the  
Summer Assizes of Lifford in 1839 you having no authority  
to receive the same and that you detained the same for a  
period of four months

The evidence of Owen Mc Daid



appearing to the Grand Jury to be necessary to Mr. Bateson's case and that Gentleman not being prepared to produce him the Grand Jury adjourned the further hearing until Wednesday the 17<sup>th</sup>. The evidence being closed by Mr. Bateson and the Secretary to the Grand Jury having been heard in his defence the Court was closed and the Charge having been well considered, its magnitude and the evidence in support of it it was agreed upon that the Secretary was not guilty of the Charge preferred but it appearing that he had unauthorisedly substituted the name of John Doherty for Owen McNeill in the Grand Warrant the latter being the legal Contractor the Grand Jury directed the Foreman to reprove the Secretary severely for such irregularity. The Court was again opened and each Grand Juror was called upon by the foreman to pronounce <sup>his</sup> opinion on the Charge in which mode every Grand Juror with one exception pronounced Mr. Spence the Secretary not guilty and the Grand Juror so excepted refused to vote. The Secretary was then severely reprov'd for his irregularity in the fact of inserting a name upon the Grand Warrant. The name of a man working the contract instead of that of the original contractor and strictly enjoined to be more regular in future. Mr. Bateson then withdrew the ~~same~~ charge contained in his notes.

Ed. Conolly  
& Fellows.

Summer Assizes 1841—

Ordered that the Secretary of the Grand Jury and the other publick Officers be directed to have a duplicate of all Notices of Assizes, Quarter Sessions & Road Sessions presented in the Bailiwick and to send at least three previous to the period of holding the same.

Ed. Conolly  
& Fellows

Resolved that G. V. Hart Esq. and Messrs Doherty Esq. of Muff do form a Committee to inspect the Bridge at Cabry with a view to ascertain their opinion as to the sufficiency of the work and whether or not the Deputy Surveyor should have given the Contractor a certificate of its having been properly built and that they do report their opinion thereon to the next road sessions to be held at Carn.

Ed. Conolly  
& Fellows

Resolved ~~that~~ the County Grand Solicitor be instructed to place all Decrees obtained by him against defaulting Road Contractors in the hands of the Process Servers of the Parish in which the Defendant resides who are to be instructed to levy the same with the least possible Delay and that he be further instructed to require the Bailiffs having Decrees at present to execute them forthwith.

Ed. Conolly  
& Fellows

Ordered,

That it having been represented to us by Mr. Sproule that on his tendering the Lease of Buncrana Br. duell to the late Mr. Kerr, Mr. McIntosh for his approval previous to its being executed, he required a Clause to be introduced therein imposing terms not contemplated by the original agreement, and ~~for~~ which Mr. Sproule objected, ~~to~~ to insert without the sanction of the Grand Jury and that the Representatives of Mr. McIntosh have also expressed a desire that ~~the~~ Clause, his introduction, has been referred to the terms of the original agreement and find that ~~that~~ the Clause ~~is~~ sought to be introduced are inconsistent with <sup>the</sup> original Terms agreed upon, and that we cannot now carry them and that Mr. Sproule be instructed to communicate our resolution to the Representatives of Mr. McIntosh

A. Conolly

Lifford Summer Assizes 1842

Ordered That the following Gentlemen be appointed a Committee to examine and report on the best way of improving the communication between Dunglow and Letterkenny commencing at the end of the Road lately made by the Commissioners of Public Works and ending at Fox Hall, all in the Barony of Kilmaconnor. That the Committee be requested to meet at the House of Mr James at Drumhollog on Tuesday the Third day of May next at 12 o'clock noon to enable them to report to the Court at the next Road Sessions to be held at Letterkenny the result of their proceedings

Names of the Committee

Thomas Drook of Loughbsk Esq  
Daniel Chambers of Lough veagh Esq  
Benjamin Geale Humphrey of Bavanacor Esq  
James Johnston of Woodlands Esq  
James Grove wood of Gheen Veagh Esq  
John Chambers of Fox Hall Esq and  
Alexander Hamilton of Cox Town Esq

Ed. Coakly and fellows

Lifford Summer Assizes 1842

Ordered - That in future no Advertisement relating to county affairs be published in either The Sentinel or Ballyshannon Herald without a written order from a Public Officer of the County ordering the same, & the number of insertions: And that the different orders be produced at the Road Sessions & Assizes when the Presentation for payment is brought for.

Ed. Coakly

Ordered That the intention of certain persons to propose the division of the Barony of Raphoe at the next Road Sessions for the Barony of Raphoe and the next Assizes being communicated to the present Grand Jury The Grand Jury's Secretary is desired to publish it in the next Grand Warrant for the information of all whom it may concern

Ed. Coakly

Lifford Summer Assizes 1842

Ordered

That a Committee composed of the following Grand Jurors shall enquire into the <sup>part</sup> contracts entered into by Hugh McKean Barony of Banagh, Robt. Mitchell Barony of East Enniskillen, Patrick Nugent of East Enniskillen and Henry Capel of Barony of Banagh, and make a report to the Grand Jury: James Johnston Esq Mr J. McKeown Esq William Fenwick Esq and B. G. Humphrey Esq Report lodged with the Clerk Ed. Coakly

Lent Assizes 1843

Resolved that a letter from the Lord Chancellor to the Local Inspectors having been submitted by him to the Grand Jury relative to the state of the Penitentiary Asylum connected with the Court house it is ordered that the persons in confinement there be transferred to the poor houses of their own locality so soon as they shall be fit for their reception and that the Local Inspectors do communicate the same to the Lord Chancellor

Ed. Conly and fellows

Ordered that the amount of Rent paid annually for each Barrack occupied by the Constabulary together with the name of the Landlord of the premises be presented in the public news

Ed. Conly and fellows

Ordered.

That the following Committee be appointed to investigate & report to the Grand Jury on an official letter from the same accompanied by the same, sent to the Grand Jury of the State Chief Remembrancer relative to Messrs. Kingham's Contract for Building Bridges to Ardara Bridge intended at Spring Assizes 1837 - B. G. Murphy, W. J. Smith, J. S. Atkinson, J. J. Keeney, J. H. Hammett Report presented to the G. Jury

Lent Assizes 1843

Lifford Summer Assizes 1843

Ordered that in future the Secretary of the Grand Jury do apply for the Rent of the Petty Sessions House at Malin at the rate of £4 per year and the Petty Sessions and Special Sessions House at Carradone at the rate of £6 per year

Ed. Conly and fellows

Whereas it has appeared to this Grand Jury that much fraud and inconvenience has resulted from the Contractors of public Works not executing their contracts within the times specified in those contracts

Resolved that in future all contracts shall contain the Specification of a day upon which the materials shall be ready for inspection and also a subsequent day on which the finished work shall be ready for examination also. And that the County Surveyor and his Assistants be directed in no case to grant Certificates for work when he has not found the work ready on those days for his inspection.

Resolved that we earnestly recommend the Magistrates and Associated Cess Payers on an occasion to adjourn any of the Road Sessions for the purpose of enabling Contractors to complete their works, as we are convinced from facts which have appeared on both before us at these Assizes that such adjournments open the door to considerable frauds upon the County.

Resolved that the most public announcement possible be given to these Resolutions in the Grand Warrant and by the Assistant Surveyors.

Ed. Conly and fellows

Resolved That the County Surveyor be directed to go on the line of Road between ~~Co. Down~~ and Letterkenny and prepare Plans Maps and Specifications for such alterations and improvements or changes as may appear most advisable, to be laid before the ~~Grand Jury~~ <sup>ensuing Road</sup> by the ~~ensuing Road~~ Sessions for the Barony of Raphoe and that a Committee of the following Gentlemen be appointed to assist in carrying the foregoing object into effect

Sir C. Hayes Bart  
 Robert Gray Esq  
 William Hauwick Esq  
 B. G. Humphrey Esq  
 James Johnston Esq  
 J. W. Stewart Esq  
 John Beers Esq      Ed. Conolly & Others

Resolved That the County Surveyor be directed to go on the line of Road between Port Stewart Ferry and Ramelton, and prepare plans and Specifications for the best line of Road between those points that the same may be laid before the Justices and C. P. Jagers assembled at the next Road Sessions to be holden in and for the Barony of Midoniaeruan and that the following Gentlemen be appointed to assist in carrying the foregoing object into effect

Sir James Stewart Bart.      John Law Esq  
 Thomas Brooke Esq      John Throuber Esq  
 Charles Norman Esq      James Watt Esq  
 Lord George Hill

Ed. Conolly  
 & Others

1. Resolved That in consequence of the continued irregularities of Mr Spence in the discharge of his duties as Grand Jury Secretary, he be dismissed and that the Grand Jury proceed tomorrow to the election of a fit and proper person to fill his situation

21<sup>st</sup> July 1843      Ed. Conolly  
 Grand Jury Room      & Others  
 Lifford      Mired.

2. Resolved That Mr Samuel Spruce jun of Rathmelton, be now appointed Secretary to the Grand Jury of the County of Donegal

22<sup>nd</sup> July 1843  
 Grand Jury Room  
 Lifford  
 John Law  
 James Watt  
 H. Dethm.  
 Wm Reed  
 John Ferguson  
 Ed. Conolly  
 Thomas Batty  
 George H. Hill  
 John Law  
 R. Blincoe  
 Jos. Pratt  
 Geo. Young  
 Mr. D. Conolly  
 Patrick W. Conolly  
 John W. Conolly  
 Daniel Conolly  
 Mr. D. Conolly  
 Ed. Conolly

No. 3. Resolved That the Grand Jury, having gone into a rehearing of the Charges preferred against M<sup>r</sup>. Thornly, deputy Surveyor, see no ground for altering the decision already come to, that he should be dismissed.

Grand Jury Room  
Leford 22<sup>d</sup> July 1843

Ed. Conolly  
J. M<sup>r</sup>

No. 4. Resolved, that in future the County Surveyor be directed to draw up a detailed report on the state of the public ~~works~~ works in each assistant Surveyor's district, previous to each Assizes, drawing the particular attention of the Grand jury to every case in which insufficient work has been certified for, and that he lay the same before the Grand jury to be printed and circulated with the public orders for the County."

Thomas Assizes 1843.

Ed. Conolly  
J. M<sup>r</sup>

No. 5. Resolved That James M<sup>r</sup>. Atter of Gostmaher be relieved from his Contract to repair for seven years 1140 perches of the road from Carrowkeel to Milford as he not having any objection to give up such Contract

James Assizes 1843

Ed. Conolly  
J. M<sup>r</sup>

Spring Assizes 1844

Ordered That the Goal Committee be hereby requested to take the necessary steps towards having a presentment sent forward to the next Road Assizes for the County at Large for Building two offices contiguous to the ~~County~~ Grand Jury Room one for the Grand Jury's Secretary and one for the County Treasurer

J. M<sup>r</sup> J. M<sup>r</sup>

Treasurer J. M<sup>r</sup>  
Ordered That the Goal Committee do insure the following public buildings at the following Rates viz

The Goal	£ 10000
The <sup>Court</sup> <del>County</del> houses	4000
County house	2500
County Infirmary	1000

J. M<sup>r</sup>

Ordered that the Goal Committee procure the necessary Furniture for the use of the Gentles Biddwell and Court house

J. M<sup>r</sup> J. M<sup>r</sup>

J. M<sup>r</sup>

Resolved That the Secretary of the Grand Jury Sam Sprule be admitted an honorary Member of the Dinner Room

*What follows*

Resolved That the County Surveyor be directed to go on the line of road between Conroy and Letterkeney and prepare maps plans and Specifications for such alterations and improvements as may appear most advisable to be laid before the ensuing Road Session for the Barony of Replee and that a Committee of the following gentlemen be appointed to assist in carrying the foregoing object into effect

Sir E. S. Hayes Bart  
Robert George Montgomery Esq  
Wm. Fenwick Esq  
B. S. Humphry Esq  
James Johnston Esq  
J. V. Stewart Esq  
John Beer Esq

*What follows*

Ordered That the Local Committee in conjunction with the County Surveyor do prepare plans and Estimates to be laid before the next Road Session for the County at large for constructing a Room for the use of the Members of the Bar an Office for the use of the Treasurer of the County and one for the Secretary of the Grand Jury & County Surveyor

*What follows*

Ordered that neither the County Surveyor nor any of the Deputy Surveyors do in future grant any Certificates to Contractors for payment of any work between the Road Sessions and the proposing Sessions or any adjournment of them

*What follows*

The Committee appointed by the Grand Jury to examine the Accounts of the Constabulary having reported that a considerable increase in the rent of each Barrack appears to have been made in the course of the last few years; as for instance the Rents of Barracks at Carrindonagh, Buncrana, Comman, Carrigans, Glenties, Killybegs, Glindore and Rameltan charged formerly at 50/- p.ann. they have been raised latterly to £120/- the value of houses at the same time having been falling rather than increasing

The Committee also report a charge of £16.16.3 being made on the Accounts for improvements in the Barracks of Kilear notwithstanding

notwithstanding a very full rent being given -  
Likewise a charge of £10. p Ann. for a store for ammunition  
in the Town of Letterkenny although the Rent of the  
Barracks is charged £20 p Ann.

The Rents of Barracks at Carrakeel and Doaghbeg  
viz £18. and £16 p Ann. respectively appear to the Committee  
out of all proportion

Resolved. That a Letter be addressed to the Inspector  
General of the Constabulary to beg that he will be  
pleased to make inquiry into the matter and to  
direct that the Rents shall invariably bear a just  
proportion to the Rents of houses in the Town they  
are situated in.

Ed. Conolly & Fellows

Donegal Summer Assizes 1844 -

Ordered

That the County Surveyor be  
directed to make a general examination  
of the line of road from the bridge of  
Lifford to Derry, now that has become a  
Mail Coach line, with the view of being  
able to recommend such improvements  
or it as may be requisite; and that  
Sir Robt Bateson be requested to communicate  
with the Derry Grand Jury on the subject.  
Ed. Conolly & Fellows

Ordered That the Board of Superintendence  
do with as little delay as possible make such alter-  
ations in the Boy Goal as may be required  
in order to provide a sufficient number of Cells  
for prisoners sentenced to solitary confinement.  
Ed. Conolly  
& Fellows

Ordered, That for the future in all roads  
Contracts for a term of years the County Surveyor  
shall apportion the number of Tons of Broken Stone  
or other material such roads annually require  
that two thirds of such Quantity be apportioned  
to the period of the year intervening between  
the months of July and March and the  
remaining third, to that between March  
and July & that the half yearly payments to the  
Contractors shall hereafter be regulated in the  
same proportion, & that a Copy of this resolution shall  
be published in the Grand Warrant



That ~~the~~ <sup>in</sup> case of the death or illness of any of the Deputy Surveyors the County Surveyor is to perform his duty until a Successor shall be appointed.  
That ~~from and after~~ <sup>from and after</sup> Spring Assizes 1845 ~~but~~ at the expiration of half a year; unwrought Road Contract the money for that half year be represented to the Surveyor for the purpose of being laid out on the road, and that all other works except Bridges and Masonry in progress unwrought at the expiration of one year after the time fixed for their completion, the amount of them be represented to the general credit of the respective Barony or of the County.

Ed. Conolly

That the County Surveyor do direct the Deputy Surveyors to keep a Diary of the duty done by them, and to make observations in it on the state of any of the roads they may pass over. The same to be produced for inspection at the Road Sessions or at the request of any Magistrate or Grand Juror.

That within one month after each Assizes the Deputy Surveyors shall inspect the roads and Bridges or any other work to be repaired at the expense of the Public, and direct

how the work is to be done, and that said Surveyor attend to give his directions, to measure the Stones or gravel once in every month up to the next Road Session, and to continue to do so every coming Road Session until other directions be given.

That Thomas Millikin of Ballymore be permitted to surrender his Contract for Keeping 690 perches of the road from Dunfanaghy to Cross Roads and repairs & which he entered into at Summer Assizes 1843 for 3 yrs or continue same at the rate of £8:10:0 yearly.

Ed. Conolly

Spring Assizes 1845 13<sup>th</sup> March

Resolved, That the following Committee be appointed to examine and report upon what improvements or if any they may consider necessary or advisable, upon the road from Lifford to Londonderry keeping in view the intercourse with Letterkenny and Raphoe

D. G. Humphrey Esq<sup>r</sup>  
Henry Stewart Esq<sup>r</sup>  
John Humphrey Esq<sup>r</sup>  
John V. Stewart Esq<sup>r</sup>  
Geo<sup>r</sup> W<sup>m</sup> Russ  
Robt. G. Montgomery Esq<sup>r</sup>  
John Ferguson Esq<sup>r</sup>

Ed. Conolly  
& Others

Resolved, That Sir Robt. Bateson B<sup>t</sup>, John Ferguson and Robt. M. Clinton Esq<sup>r</sup> be requested to form a Deputation to communicate with the Lord Grand Jury, and to request them to take steps to lower the Mills upon the Letterkenny and Londonderry road within the Liberties of the City of Londonderry, with the view of implementing the Improvements adopted by the Barony of Raphoe upon that Road, and that they report the result of their interview to the Grand Jury of this County at the next Assizes -  
Ed. Conolly  
& Others

Ordered

That the County Surveyor be directed to examine the line of Road between the Guildford Hotel and the Crossroads, and prepare Maps and Plans for such alterations as may appear to him most advisable to be laid before the ensuing Road Session for the Barony of Kilmacrennan and that a Committee of the following Gentlemen be appointed to assist in carrying the foregoing object into effect.

Lord George Clerk  
Sir James Stewart B<sup>t</sup>  
A. R. Stewart Esq<sup>r</sup>  
Wm. Grant Esq<sup>r</sup>  
Wm. C. Stewart  
Francis Foster Esq<sup>r</sup>

Ed. Conolly  
& Others

Ordered that previous to the next Assizes the County Surveyor shall make a survey & Map of a new line of Road from the North eastern extremity of Franet to such a point between Ramelton & Milford as may be most advantageous for the general interests of the Barony  
Ed. Conolly  
& Others

Ordered, That no Money be paid to John Colbourn of  
Prosbucken on Account of the New Road at  
St Johnston and the Bridge connecting the  
same, until the whole work be executed, &  
that this order be communicated by the  
Grand Jurys Secretary to the Treasurer

Ordered  
Ed Conolly  
That the same rule shall apply  
to the two presentments granted to  
John Boyle of Pucklish on the road  
from Letterkenny to Derry

Ed. Conolly  
& J. Mors

Resolved, that the County Surveyor be directed on no occasion to grant  
or permit his Deputies to grant, Certificates of the necessity for  
repairs on any roads, or portions of roads which have not been present-  
ed according to law; and that in the event of any violation of  
this order the person infringing it will be instantly dismissed  
by the Grand Jury.

Ordered, that this Resolution be published in the Public Order  
after each Assizes.

Ed Conolly  
& J. Mors

Resolved - That the Board of Superintendence  
of the jail committed be authorized to  
employ a sum not exceeding thirty  
pounds in the necessary repairs of the court  
house, & also a sum not exceeding three  
pounds in erecting a water closet in the  
Subalterns court house.

Ed. Conolly  
& J. Mors

Resolved That the County Treasurer be directed  
to prepare and publish with the grand warrant  
a statement of the sums paid with the balance  
now due to the Board of works for loans made  
for various public works in each Barony in  
continuation of the account last published of  
those works, together with a like statement of those  
works which have been presented to be done by  
warrants since that period, with the balance  
due on each

Summer Assizes Ed Conolly  
= 1845 = & J. Mors

Resolved, that Sir Robert Bateson Bart, John Ferguson and Robert Millistock  
be requested to form a Deputation to communicate with the Derry  
Grand Jury on the contemplated improvement of the Road between Derry  
and Raphoe where the Road enters the County of Donegal at Dunmore  
and that they report the result of their interview to the Grand Jury  
this County at the next Assizes, and that Mr Steedman be instructed  
to meet the Surveyor of the County of Derry at the place, and report  
on the said improvement.

Summer Assizes. 1845.

Ed. Conolly  
& J. Mors

Ed. Conolly  
24

A Complaint having been made to the Committee of the West  
half Barony of Carrishowen that William Doherty Deputy  
Surveyor granted a Certificate to Owen Boyle of Creebhagh  
contrary to the general order of the Grand Jury they being fully  
satisfied of the truth of this Charge have admonished the said  
Deputy Surveyor and have told him in case he offend in future  
that they will recommend the Grand Jury to deprive him of his  
said office.

Ed. Conolly  
of approval follows.

J. Mors  
Chairman

Ordered. That the Treasurer do pay John Collier  
Contractor on the road at Saint Johnstown the sum  
appearing by the County Surveyors Certificate as having  
been expended on said road according to his Contract,

Ed. Conolly and fellows.

Ordered That in future the High Constables  
of the respective Baronies do attend on the  
first day of the Fiscal business to  
settle their accounts make their affidavits  
of levy and enter into their securities  
and that they make their returns of  
cess payers to the Secretary of the Grand  
Jury six days before the first day  
of the Fiscal business.

That a Copy of this order be sent  
to each High Constable and  
that he be apprized that in case  
of non compliance herewith their  
presentments for poundage will  
be respited until the following Assizes.

Ed. Conolly

Spring Assizes 1846 - 13<sup>th</sup> March

Ordered - That the County Treasurer be directed to hand over  
to the Contractor for making the Road and building the bridge over  
the road between Raphoe and Derry the sum of £200. paid over  
to the Treasurer on the part of the Marquiss of Abercorn towards  
that work and that it is not considered necessary that the same  
should appear in the public accounts.

Ed. Conolly  
and fellows

Resolved

That the Grand Jury disapprove generally  
of the Practice generally of permitting Contractors  
to exceed the time specified in their Contracts  
but at the same time they cannot censure  
Mr. Steadman's conduct in ~~this~~ particular  
instance as the practice has been permitted  
hitherto to prevail by the tacit sanction  
of the Grand Jury.

Ed. Conolly }  
and fellows }

Ordered

That in consequence of the unexplained delay in opening the new line  
of road through St. Johnston, That any Contractor in future whose  
work shall not be completed in the time specified in his Contract,  
unless the delay be satisfactorily explained to the Grand Jury,  
Mr. Steadman is directed not to give a Certificate for the work done.  
This resolution only refers to the Contracts entered into at & subsequent  
to the Spring Assizes 1846.

Ed. Conolly  
and fellows

Resolved. That in consequence of the statement made by Mr. St. John  
County Surveyor and supported by the testimony on oath of  
J. C. Rodden Sub Inspector of Constabulary as to the acts  
violence by which Mr. Stedman was met with in executing  
a public Work directed by the Grand Jury - the the Grand  
Jury of Donegal do direct Alexander Hamilton Esq.,  
Mr. Stedman, J. C. Rodden and others acquainted with the  
circumstances to transmit their Informations to the Lord's  
Lieutenant requesting such assistance as he may deem  
necessary, to enable their Public Officers <sup>and Contractors</sup> to fulfil their duties.

Ed Corry and fellows

Summer Assizes 1846 - 23rd July.

District Lunatic } In consequence of a Communication  
Asylum } from the Board of Directors the  
Grand Jury took into consideration the matter  
referred to in the following documents and  
came to the following resolutions,

Read Extract from Dr White's Report  
to Government on the subject of providing increased District Asylum  
accommodation for the Lunatic Poor of the Province of Ulster,  
2nd April 1846

Now to meet the pressing wants of the entire Province is a difficult  
question to decide upon, I have given it the most mature consideration  
and have finally arrived at the following conclusions.

1st - That each of these Asylums viz Armagh Belfast & Londonderry  
should undergo Enlargement, provided there are no material Architectural  
objections against the Arrangement.

2nd - That as the Northern Counties are more compact & the facilities  
of intercourse between them increasing chiefly I would propose the erection  
of One Great Central Asylum at Omagh to accommodate 500  
inmates not to be appropriated exclusively to chronic incurable cases  
but to be open to all grades and forms of insanity & established upon  
the same principles as that of the District Asylums but that all  
the surrounding Counties should be apportioned in due proportion towards  
the Expense of erection and purchase of grounds; Tyrone & Fermanagh  
having a greater share in the outlay than the others, it being  
intended that the two latter Counties should send all their patients to  
the Omagh Asylum.

By this arrangement the existing pressure upon the  
present Asylums would be taken off and the Omagh Asylum would  
form a convenient Depot for transmitting the surplus numbers of  
Patients according to the requirements of the Districts.

I have inspected some sites in the neighbourhood of Omagh and am of opinion that there are there very eligible situations for an Asylum and that ground could be procured at a fair & moderate price.

I would suggest the propriety of having these new Asylums constructed upon different principles altogether from that which has been adopted in the erection of the present ones, and I shall here explain the views I entertain upon the subject, a large tract of Land should be attached to these Institutions, & an improved system of Agriculture introduced in order to give out door Employment to a numerous class of persons who uniformly derive the greatest benefit from such occupation besides affording the additional advantage of enabling the Patients to support themselves by the cultivation of the Land.

Return showing the number of Pauper Lunatics unprovided with District Asylum accommodation in the several Lunatic Asylum Districts of the Province of Ulster and the manner in which they are at present located.

Lunatic Asylum District	Unprovided for in District & located				No. refused accommodation in District Asylum	Total
	In Local Asylums	In Farms	In Union Workhouses	In Union		
Ulster						
Armagh		14		122	11	147
Dublin		21		113	11	245
Londonerry	17	36		187	28	268
Grand Total						660

Taken from returns unprovided for 31<sup>st</sup> Decr. 1845.

Exclusive of numerous wandering cases of Insanity many of whom may be considered as fit subjects for District Asylum Relief,  
J. White

Minutes of the Board of Directors held at the Asylum on Friday the 10<sup>th</sup> July 1846

The Lord Bishop of Derry in the Chair

The communication of Dr. White's Inspector of Lunatic Asylums was taken into consideration, when the following Resolution was moved by the Rev. Spencer Knox and seconded by P. Gilmour Esq. and carried unanimously.

Resolved That we are of opinion that increased accommodation for the Pauper Lunatics of the Province of Ulster is urgently required.

2<sup>nd</sup> That in furtherance of such object we advise the erection of a Lunatic Asylum to receive the Lunatics of Tyrone & Fermanagh only, or of such Districts in said Counties as may be determined upon by competent authority.

3<sup>rd</sup> That we do not recommend an Institution of the magnitude proposed by Dr. White, nor according to the principles advocated in his report.

Ordered That at special Meeting of this Board summoned for Saturday the 26<sup>th</sup> inst. to take into consideration the opinions of the 3 Grand Jurors on the subject of increased accommodation for the Pauper Lunatics of the District.

4<sup>th</sup> Resolved That we are of opinion that increased accommodation for the Pauper Lunatics of this County is urgently required both for the incurable & curable cases.

5<sup>th</sup> That we strongly disapprove of the principle of a Central Asylum confined to the reception of the incurable cases of many Counties & still more so

J. White

of mixing up the incurable Cases of several Counties, with the curable incurable cases of others with which they are not otherwise connected a system in which much confusion must occur in determining the proportion of expence payable by each while the control would virtually fall into the hands of that County in which the Central Institution was placed,

3<sup>rd</sup> That we rejoice to hear that it is contemplated to erect an Asylum at Omagh and recommend that it should be erected for the reception of all Lunatics of Tyrone & Fermanagh and such other additional District as may be deemed proper by competent authority to be connected therewith.

4<sup>th</sup> That by detaching the Lunatics of Tyrone from the Asylum in Londonderry, accommodation will be afforded for 70 additional Lunatics for Londonderry and Donegal a number amply sufficient of the present wants of those two Counties and should additional accommodation be required, at a future day an addition to the Asylum in Londonderry can easily be made.

5<sup>th</sup> That in determining the proportionate repayment between Londonderry and Donegal to the County of Tyrone, of the quota it has contributed to the erection of the Asylum in Londonderry we are of opinion that due regard should be had not only to the relative value of those two Counties, but also to the advantage derived by Londonderry over Donegal from the Asylum being placed in that County and from the expeditious of its Funds being expensed within it and as to the County Tyrone regard also being had as to the deterioration of the Building from lapse of time.

6<sup>th</sup> That a Copy of these Resolutions be forwarded to the Lord Lieutenant and the Directors of the Londonderry Asylum and published in the Public Orders of the County.

Ed. Coakley  
and fellows.

It having come to the knowledge of the Grand Jury that the Approvers of the County Officers in the different parishes have been in the habit of Approvers fees for themselves in addition to the County Officers thereby making the Approvers illegal.

Resolved that the attention of the High Constables of each Barony be specially called to this subject and that he call the attention of the Churchwardens and his Collectors to this illegality and that no Approvers be received unless it contain the exact amount of the Treasurers warrant according to Law.

And that the High Constables be directed to hand over to Mr. Barrett the names of those Approvers who have neglected to make out their Approvers in proper time for the purpose of being proceeded against for the penalties under the Act.

Ed. Coakley and fellows.

Resolved that the Treasurer be directed to insert a Copy of his Warrant to each High Constable, in the Grand Warrant showing the exact sum charged on each townland in the County.

Ed. Coakley and fellows.

Inasmuch as a number of Civil Bill Decrees have been obtained against Contractors for non performance of their Contracts and have been put into the hands of the Sheriff to levy, and it has been stated to us by the Sheriff that notwithstanding every exertion on his part has been unable to procure Bailiffs to execute said Decrees, the fees allowed by the Act of Parliament for service in the pound for all sums levied being totally inadequate to meet the expences or afford a reasonable remuneration for the trouble and expense of such Levy, and as we find it absolutely necessary for the sake of example that these Decrees should be levied and the Defaulters not permitted to escape with impunity.

Resolved.

Resolved That the Sheriff be requested to use his best exertions in procuring proper persons to act as Deputies in the execution of said Decees, and that out of the sums raised the Surveyors be shall pay the Expenses & Costs attending such keeping an account thereof & accounting with the Grants at the next Assizes and paying over to the Treasurer to the Credit of the County such sum as may remain in his hands after paying such Expenses. And that as said Decees are at the suit of the Crown and in the name of the Attorney General a Copy of this Resolution be laid before him for his sanction.

Ed. Conolly  
and fellows.

To the Commissioners of Public Works

We beg to call your attention to the state of a leading road thoroughfare in the Barony of Raphoe County of Donegal, 3 miles from the City of Derry, and by which a large portion of the produce of the Country is conveyed to Market.

This portion of road is on the west side of the Foyle, from the wearing of the Liberties of Derry to Ferrisburgh, on the road from Londonderry to Raphoe and about one mile and an half in extent, an Application to repair it was approved at the last Presentment of the Barony of Raphoe but was advertised for Contract in the usual way but no proposal was made at the adjourned Sessions & in consequence thereof there are now no means by which it can be repaired before Spring Assizes 1847, as it is even now in bad order it is certain to break up during the ensuing winter, for the traffic upon it is very great, as great as that upon any road leading into the City of Derry, and the inconvenience thereby to the public would be such that we think it our duty to represent the circumstances to the Board of Works, in order that the necessary outlay upon it may be authorised to keep it in repair until the next Spring Assizes.

Assizes, when the amount expended upon it would be refunded by the Barony of Raphoe. There is no Mail for travelling upon this road, as the Mail runs upon the road on the east side of the Foyle, but it is of such importance to the City of Derry and to the Public that it is most desirable that the necessary repairs should be undertaken by the Board of Works in the same manner as is usual upon other such roads under similar circumstances.

In addition the Grand Jury beg to state that any outlay which may be made by the Board of Works in putting said portion of the Road in repair and keeping it so during the period between this & the ensuing Assizes shall be presented for by the Grand Jury at Spring Assizes upon the amount being certified to them.

Ordered That the above be inserted in the Resolution Book and a Copy thereof be transmitted to the Board of Works by the Secretary and that the County Surveyor shall act upon such orders, as may be given by the Board of Works, in having said road kept in repair without any further authority.

Ed. Conolly, and fellows.

Spring Assizes 12<sup>th</sup> March 1847-

Resolved,

That we desire the Board of Superintendance to take into their consideration the report of the Inspector of Prisons with respect to prisoner's clothing, & to act in the matter according to their discretion.

Attys & fellows



Resolved

That in accordance with a Petition presented by this Grand Jury to the House of Commons requesting the suggestions of the Commissioners of Land Inquiring as to the Consolidation of certain County Offices to be carried into effect. We the Grand Jury request our Representatives to use their best endeavours with the Legislature and Government, that the above object may be attained as soon as possible

Attorneys & fellows

Henry Stewart Esq. having attended and on behalf of the Earl of Down having offered the free grant of a piece of land adjoining the Court House with the view of enabling the Grand Jury to build an addition to the Court House; it was

Resolved - That the Thanks of the Grand Jury be presented to the Earl of Down for his liberal offer, which offer the Grand Jury do hereby accept, understanding not to convert the ground to any other than Public purposes, and that in the event of it not being required for Public purposes the land do revert to the Earl of Down or his Heirs &c

Attorneys & fellows

Resolved That the Grand Jury of the County of Down assembled at Spring Assizes 1847 cannot separate without expressing their grateful sense of the sympathy so liberally displayed by the people of England towards the distressed state of this Country, and to state their conviction

that without reference to County, distress was never known to exist, that England did not hasten to its Relief -

Attorneys & fellows

Res<sup>d</sup> That the High Sheriff be requested to draw the expenditure of the dinner at the evening party and to provide with Champagne on want.

Attorneys & fellows

The Grand Jury being of opinion that the Office of Inspector of Weights and Measures is unnecessary,

Ordered

That the Office be suspended until next Assizes and that Mr Harvey do not discharge any of the duties of the Office or be entitled to any salary in the intermediate time, and that he deposit with the Sub Inspector of Police at Carrndonagh the Standard Weights and measures of the County, getting a list thereof signed by such Sub Inspector and himself and transmit such list to the Secretary of the Grand Jury.

Attorneys } and fellows

It having been represented to the Grand Jury by the County Surveyor, that John Sanders or one of the Assistant Surveyors for the Barony of Raphoe was not employed in the discharge of his duty since the 30<sup>th</sup> of September last on account of not obeying the orders of the said Surveyor, and that the duties which he should have performed were discharged by Robert George Montgomery the other Assistant Surveyor for said Barony.

Ordered - That the said John Sanders be and he is hereby dismissed from his Office of Assistant Surveyor and that the sum of £25 presented at last Assizes for his Salary be now discharged and paid to the said Robert George Montgomery.

Attorneys } and fellows

Ordered - That the sum of £25. presented at last Assizes to Robert George Montgomery one of the Assistant Surveyors for the Barony of Raphoe be now discharged, the Grand Jury having resolved to suspend the payment of same for the present.

Mayer and fellows.

Ordered - That the sum of £25. presented to John O'Neill, Assistant Surveyor for the East Meath Barony of Eriniskower be now discharged and paid to John Steelman County Surveyor and by him paid out to the said John O'Neill and Thomas Brady the present Assistant Surveyors in such proportions as he may deem right according to their periods of services.

Mayer and fellows.

Ordered, That the sums of £23:15:6 and £14:18:0 making together the sum of £38:13:6 the amount of interest remaining in the County Bank on the 31<sup>st</sup> day of January 1847 be paid over to Francis Mansfield Esq. Treasurer of this County under the Act 1<sup>st</sup> Vict c 54. sect 15.

Mayer and fellows.

Ordered - That the Salaries of the following County Officers presented and due at these Assizes be paid at once out of the unappropriated balance in Bank and Exchequer Bills to the Credit of the County viz

The Clerk of the Crown - The Clerk of the Peace,  
The County Treasurer, The Secretary to the Grand Jury  
and the Sheriff

Mayer and fellows.

Summer Assizes 1847 -

26<sup>th</sup> & 27<sup>th</sup> July 1847 (27<sup>th</sup> a Wednesday)

Resolved

That on Law considered the Letter of the Hon<sup>ble</sup> the Lord Lieutenant in reply to the Memorial of the Grand Jury of the Spring Assizes praying the removal of Mr. Steelman County Surveyor, and a report that the only alternative now left is to discontinue him, considering that the very Labours of this extensive County are beyond his physical abilities.

Mayer and fellows

Ordered that the Treasury be directed to allow the present Incumbrances on the public building of the County to drop and that he do previously enter into new policies for the building as underment viz

County Jail & Appointments	£4000 -
Court House &	1500 -
County House &	500 -
Doney's Residence &c	500 -
Glenties D <sup>o</sup>	500 -
Lettukenny D <sup>o</sup>	800 -
Berrinacorney D <sup>o</sup>	800 -

Mayer and fellows

£8600 -

Ordered - That advertisements be published by the Grand Jurors Secretary to persons to fill the Office of High Constable for the Baronies of Kilmacrennan Barony and Roslagh, and that proposals be received by the Magistrates assembled in quarter Sessions at Lettukenny and Doneygal in October next from persons desirous of filling those Offices who must be prepared with solvent securities ready to enter into bonds for

for the due execution of their duties according to the terms of the Act. ~ (To be inserted in Grand Warrant, "Londonderry Testes and "Ballyshannon Herald" and published by Handbills)

Ordered ~ That in future the County Treasurer and High Constables lay before the Grand Jury at each Assizes, and be prepared to prove the date of the receipt and delivery of the different Warrants and appointments connected with the leasing of the County Cops, to enable the Grand Jury to judge how far the duties prescribed by the Grand Jury Act are fulfilled by them. —

Ordered ~ That the High Constables be cautioned under the penalty of disqualification in no case to discount orders on the Treasury which the Grand Jury have reason to fear has become a prevalent practice in some Baronies in this County.

Resolved ~ That the Secretary be directed to proceed against the Securities of the High Constables for the Baronies of Raphoe, Tyrhugh, Banagh, Baylagh and <sup>Cast</sup> Carrishock unless the Treasurer shall receive the sums agreed upon by the 1<sup>st</sup> of November.

Ordered, That the Board of Superintendance of Lifford Gaol ~~shall~~ provide necessary furniture for the Public Offices in connection with the County Court House at Lifford.

Spring Assizes 1828

Resolved that Mr. Harvey the Inspector of Weights and Measures having tendered his resignation of that office this day in open Court that the same is accepted accordingly by

Resolved, That the Foreman be requested to communicate with the Commissioners of Public Works, and to request that they will permit all the Maps, Surveys and sections at present in Mr. Townsends Office to be deposited in the Office of the County Surveyor for the use of this County.

Ordered ~ That proceedings be instituted against John Colburn Junr. and his Executors for breach of their Recognizance under the Presentment for making a new road from Dunfanaghy to the Croproads in the Barony of Kilmacrennan. —

Resolved, That Mr. Garrett the County Surveyor be directed to examine and ascertain what old roads, or what portions of roads can be dispensed with and ought to be shut up by Presentment and to report also or any alterations which may enable old roads to be shut up and to report at the respective Baronial Sessions and to the Grand Jury at next Assizes. —

Ordered, That the sum of £25. at No. 1381 in the printed copies be discharged and paid to Robert George Montgomery to whom same was presented. —

Ordered, That the Board of Superintendants of Lifford Gaol  
do expend a sum not exceeding thirty pounds in putting a Cast-iron  
roof on the front of the County House in Lifford

*Ed. Conolly & Others*

Summer Assizes 1848

Resolved That the attention of the County  
Surveyor be called to the resolutions passed  
at the last Assizes in reference to the closing  
old roads, and that he be directed  
to refer to the same in his report at  
the next Assizes. *Ed. Conolly & Others.*

*Resolved That Resolutions for Lifford Gaol*

Ordered - That John Harvey Esq. late Inspector of Weights & Measures  
for this County do hand over to Mr. Ezekiel Tydd now appointed  
Inspector of Weights and Measures, any Weights or Measures or  
other matters relating to his said late office, in his possession or  
custody, and that J. B. Wickham Esq. Sub-Inspector of Constabulary  
at Carrondrough do in like manner hand over to the said Ezekiel  
Tydd all weights, Measures and other matters and things relating  
to the office of Inspector of Weights & Measures which may  
have been deposited with him by the said John Harvey the  
late Inspector. —

*Ed. Conolly and Others*

Ordered - That proceedings be taken against Charles Boyle of Lifford  
and his Sureties for not having completed the new road from  
Letterkenny to Dunglow, provided the same be not completed  
or before the next Spring Assizes, —

*Ed. Conolly & Others*

Ordered. That assessments presented at Spring Assizes 1848 to persons  
for damages under the acts of 10 Vict C107 and 10 & 11 Vict C87  
and directed to be respited until after these Assizes, be now  
further respited until after the next Spring Assizes

*Ed. Conolly & Others*

Ordered That the sum of £8 part of the sum of £25 at  
No. 2223 on the present queries be discharged to the Comptroller  
and by him applied in payment of the following sums  
£5 to Widow Mellor of Lifford for work executed by her,  
received by Robert George Montgomery late Assistant Surveyor  
for the Barony of Raphoe and £3. to James Kennedy  
Assistant Surveyor for Expenses incurred in attending to the  
duties of said Assistant Surveyor in his absence ~ the  
remaining sum of £7 to be respited until next Assizes

Ed. Conolly and fellows,

Ordered that the sum of £18.10.0 at No. 1831 on the  
present queries be discharged and paid to John Reid  
of Illistree at the request of Noble Treas to whom same  
was presented ~

Ed. Conolly  
and fellows,

Resolved ~ That the following Committee be appointed to investigate  
the accounts of the Barony Constables of Raphoe and to report to the  
next Assizes - Robert Montgomery Esquire John Beers Esq<sup>r</sup> John Jackson  
Esq<sup>r</sup> William Young Esq<sup>r</sup> James Johnston Esq<sup>r</sup> John Ferguson Esq<sup>r</sup>  
Benjamin G. Humphrey Esq<sup>r</sup> and William Fenwick Esq<sup>r</sup> <sup>subsequent</sup> and that  
they meet at Raphoe on the 3<sup>rd</sup> day of August, of which the  
Secretary is to give all parties due notice three to form a Quorum  
and that the Barony Constables and the Sub-collectors be directed  
to attend with their Books,

Ed. Conolly  
and fellows,

Ordered ~ That the Barony Constables be directed in all cases to  
give receipts for money received as County Fees, stating the period  
when due

Ed. Conolly and fellows,

Resolved ~ That the following Committee be appointed to investigate the  
accounts of the Barony <sup>Constable</sup> of Kilmacrenan and to report to the next  
Assizes, Francis Mansfield Esq<sup>r</sup> John Stewart Esq<sup>r</sup> Lord George Hill  
Thomas Batt Esq<sup>r</sup> Esq<sup>r</sup> Wylbraint Esq<sup>r</sup> John R. Boyd Esq<sup>r</sup>  
Sir James Stewart Bart, John Law Esq. John Sprink Esq<sup>r</sup> John  
Chambers Esq<sup>r</sup> Henry Latham Esq<sup>r</sup> and James Russell Esq<sup>r</sup>, and that  
they meet at Ramelton on the 10<sup>th</sup> day of August next of which  
the Secretary is to give all parties due notice, three to form a  
Quorum and that the Barony Constables and the Sub-collectors  
be directed to attend with their Books

Ed. Conolly and fellows

Spring Assizes 1849 -

Ordered - That the Salary of the Governor and Keeper of the Gaol and House of Correction at Lifford shall for the present be One Hundred pounds -

Thomas Conolly and fellows

Ordered - That proceedings at Law be taken against John Colburn Junr. and his sureties for not having completed the new road from Letterkenny to Conroy -

Thomas Conolly and fellows

Ordered - That the Treasurer do pay to Messrs O'Donovan of Kilmacrenan, the following sums discharged at last Assize to John O'Donovan of Kilmacrenan who has since emigrated to America, vizt. No 216. £2: 12: 0 No 217 £2: 3: 9 No 1793 £2: 12: 0 No 1794. £2: 3: 9 -

Thomas Conolly and fellows

Ordered - That Charles Conway one of the Assistant Surveyors for the Barony of Kilmacrenan be and he is hereby dismissed from his Office, it having been proved that he has been guilty of corrupt practices in the discharge of his duty, And it is further ordered that all Salary due to him at these Assizes be stopped, and if necessary represented in aid of the Barony -

Thomas Conolly and fellows

Ordered, That a sum of £25. be presented to the County Surveyor to pay One half years Salary to next Assizes of the Assistant Surveyor to be appointed for the Barony of Kilmacrenan in the room of Charles Conway who has been dismissed -

Conolly and fellows,

Resolved, That in consequence of the great reduction in the amount of expenditure of public money in the Barony of Banagh we are of opinion that one Assistant Surveyor is quite sufficient for the entire Barony - We therefore order that James Magrath one of the Assistant Surveyors for said Barony shall from henceforth be discontinued in that Office -

Conolly and fellows

Resolved - That a lengthened enquiry into the Charges preferred against the County Surveyor having been made, we do acquit Mr Garrett of any intentional neglect in, or dereliction of, duty, at the same time we think that Mr Garrett has been remiss in the attention he paid to the views of the Grand Jury of Summer Assizes 1848. -

Thomas Conolly

~~James Magrath~~

~~John Conolly~~

~~John Conolly~~

Thos Alexander

Herbert Stewart

~~John Conolly~~

~~John Conolly~~

John Ferguson

Thomas Burtis

John Conolly

T. W. F. Russell

John Conolly

James Conolly

We the undersigned, with much regret feel called upon to protest against the foregoing Resolution as not conveying the censure, which is considered imputable to the County Surveyor, or the mode of carrying a repair upon the Barmore road under an Order from the Board of Works. We are of opinion that Mr. Gerritt did not neglect the orders of the Grand Jury, but was likewise negligent of the manner in which the repair was carried on upon that

William Fenwick  
John Humphreys -  
Wm Beers  
W. J. Humphreys  
J. J. Lochray  
W. Young  
J. Robinson

Resolved - That we fully concur with Richard S. Bourke Esq. M. P. in the great necessity for, and the benefit which would arise from an enactment of a Law for the better preservation of cattle and sheep in Ireland, and we direct our foreman to affix his name for self and fellows to a Petition to Parliament in favour of such a Bill as may be brought into Parliament by R. S. Bourke Esq.

Thomas Conolly and fellows

Ordered - That the portion of fines payable to the County, and which may be imposed under the provisions of the Act 5 & 6 Wm. 4. c. 63. shall be received by the Inspector of Weights & Measures Ezekiel Tyndal, and lodged half yearly in the Bank at Letterkerry to the credit of the County Treasurer, Francis Mansfield Esq.

Thomas Conolly and fellows

Ordered - That the standard Weights for this County shall forthwith be sent by the Inspector through Messrs. Samuel Gatchell & Sons Dublin, to the Exchequer at Westminster London, for the purpose of being again compared and verified, and that all costs attending the transmission of them shall be paid out of the funds arising from prosecutions under the Act 5 & 6 Wm. 4. c. 63. provided that previous to his doing the same shall be submitted and approved of by Sir James Stewart Bart.

Thomas Conolly and fellows.

Ordered - That proceedings be taken in fourteen days against Mr. Mansfield to enforce the payment of all sums that remain in Arrear of the County from the Barony of Raphoe.

Thomas Conolly and fellows.

Resolved - That similar proceedings shall be taken instituted against the High Constables of the Baronies of East and West Cushion and Tyrhugh,

Thomas Conolly and fellows.

Ordered - That the sum of £2. 14. 7 part of the sum of £17 at No. 1792 on the present issues be discharged and paid to the County Surveyor and by him paid over to the Rev. Jos. M. Conally who advanced said sum to a contractor for executing a work represented to the County Surveyor and which said sum was received by Robert George Montgomery late Assistant Surveyor for the Barony of Raphoe and converted to his own use -

Thomas Conolly and fellows

Ordered, That proceedings at Law, be instituted against the  
following Contractors and their Sureties, for non performance  
of their Contracts, vizt.

Hugh Porter of Ballinlough, for the road from Buncrana to  
3 years Contract entered into at Spring Assizes 1847.

John Masland of Glassmelaw, for the road from Buncrana  
to Carr 3 years Contract entered into at Summer Assizes 1848.

John Porter of Ballinlough, for the road from Buncrana to  
Carr, 3 years Contract entered into at Summer Assizes 1848.

*Handwritten signature* and fellows.

## Summer Assizes 1849.

Ordered - That the Treasurer do pay to the Honble. Lord  
George A Hill the sum of £5:5:9 discharged at Spring Assizes  
1847, to 1848, to Bryan McGhee then of Derrybeg since gone  
to America the said Bryan McGhee having authorized the  
said Lord George A Hill to receive same.

*Handwritten signature* & fellows.

Ordered - That the Treasurer do pay to the Rev. Hugh  
McFadden of Derrybeg the sum of £11:8:0 discharged  
at Spring Assizes 1847, to 1848, to Bryan McGhee having  
authorized the said Hugh McFadden to receive same.

*Handwritten signature* & fellows.

Ordered - That the County Surveyor shall apply at the next  
Presentment Sessions for Contracts for repair of the several roads  
in this County now kept in repair by the Commissioners of  
Public Works.

*Handwritten signature* & fellows.

Ordered - That the proceedings at Law instituted against John  
Colhoun and his sureties for non performance of his Contract  
on road from Letterkenney to Conroy, be stayed until 20<sup>th</sup>  
November 1849, and if the work be not then completed  
Warrant to be issued for the sum of Four Hundred and  
Sixteen pounds stop and costs,

*Handwritten signature* & fellows.



Ordered - That the County Surveyor shall be at liberty to Certify to the extent of £150. to John Colhoun Junr on account of the road from Kameilton to Fort Stewart ferry provided the same can be done with safety to the Public, as regards the completion of the work.

*W. M. H. H. H.* Hellows

Ordered - That in the event of John Colhoun Junr. the contractor for the road from Kameilton to Fort Stewart ferry not having same completed on or before the 15<sup>th</sup> October 1849 the County Surveyor is hereby required and directed to exp<sup>end</sup> the sums now represented to him for the purpose of completing said work.

*W. M. H. H. H.* Hellows

Copy Letter to the Commissioners of Public Works.  
To the Board of Works.

Gentlemen,

Two presentments have been made to the Paymaster of Civil Services at these Assizes chargeable on the Barony of Tyrhugh, one for £80. 1. 0 for repairs done to the road from Donegal to Pettigo, and one for £52. 1. 10 for repairs done to the road from Killester to Pettigo, for 5 months.

We beg leave to state that we consider the amount expended on these two roads as quite enormous beyond the capabilities of the two parishes of the Barony of Tyrhugh.

It is unfortunately true that little of the Cess imposed at the last Assizes on this Barony has been collected and in consequence the Grand Jury at these Assizes have only imposed a sum of £115. to repair all the roads of the Barony (Contracts not included until the next Assizes). They therefore consider it unfair to the other parts of the Barony and most oppressive to the two Parishes to be compelled to repair the

roads of comparative minor importance at an enormous expense, whilst necessity obliges them to have much more useful and necessary roads unrepaired. We hope from the foregoing statement of facts that you will be so good as to order no more money to be expended on either the road from Donegal to Pettigo, or the road from Killester to Pettigo, and that you will allow the persons interested in the Barony of Tyrhugh to have both these roads repaired by the Barony by contract under the directions of the County Surveyor, and that you will inform him of the fact, in order that he may order the necessary Application to be made at the next Road Sessions.

Your humble Servants

*W. M. H. H. H.*

Foreman for Self and fellows.

Grand Jury Room  
17 July 1849

Ordered - That the Board of Superintendence be authorized to render the Waiting place at the Grand Jury room door more suitable for Witnesses, and also to make provision for a Water closet for the use of the Grand Jury and putting a double door on the Secretarys room.

*W. M. H. H. H.* and fellows

Ordered - That the sums of £9. 10. 0 at No. 127 and £2. at No. 130. on the Queries of Spring Assizes 1849, and discharged to James Dixon then deceased, be paid to Susan Dixon the Widow of the said James Dixon.

*W. M. H. H. H.* and fellows.

Resolved That we feel it to be our duty before we separate in the Work Houses where the diet is of a less liberal character, to record our opinion on the state of the County Gaol from its over crowded state resulting from the great increase of offenders and the inconvenient practice lately adopted of leaving Prisoners under sentence of transportation in the County Prison instead of removing them as heretofore to the Banwich Hulks, some of whom have been under sentence since 1846.

That our Gaol contained at the commencement of these Assizes 200 prisoners under the following sentences to which a large addition will necessarily be made at these Assizes

Transportation for 15 years,	1	
Do 10 years,	2	
Do 7 years,	19	22
Other periods of Imprisonment,	120	
Revenue Prisoners,	25	
Lunatics,	25	
Custody cases for trial at Assizes	8	178
		<u>200.</u>

That our Gaol was constructed to contain only 117 Prisoners and therefore the number of our prisoners exceeds by 83 that which our Gaol was intended to accommodate, That we consider it most inconvenient in practice & unjust to our County in this period of unparalleled difficulty, that any of the expense of transported convicts should be thrown upon the County, contrary to the intentions of the Legislature which the Government are hesitating, as to the most suitable Country to which they shall be transported.

That we wish to record our strong opinion the necessity of an immediate change in the diet of the Prisoners as we have reason to believe that it affords an inducement to Commission of Petty Officers by destitute persons with a view to confinement in the Gaol in preference to seeking relief

in the Work Houses where the diet is of a less liberal character, That our Foreman be requested to communicate a copy of these Resolutions to His Excellency the Lord Lieutenant with a view to obviate this great public evil.

*W. Montgomery* and fellows.

Ordered, That £2 part of the sum of £11.5.5 at No. 1177 on present Queries be discharged and paid to William Gregory of Mughrenappin to whom the same is due and owing by Robert Geo. Montgomery late Assistant Surveyor for the Barony of Raphoe and £12.5.5 remainder of said sum to be respited.

*W. Montgomery* and fellows.

Ordered, That £24.1.6 interest remaining in the County Bank on foot of the Public Account ending 31st Jan'y 1849 be paid to Francis Mansfield Esqre Treasurer under the Act 1st Vict. c. 54 s. 15.

*W. Montgomery* and fellows.

Resolved, That having most carefully investigated and examined the accounts of the High Constables, we are of opinion, that in consequence of the non payment of the County Cts by the High Stewards of the County, that a further time should be given to the Collectors until the 20th September when one half of the amount due at the present time must be paid in, and the remainder by the 1st day of November 1849, after which time the Treasurer is ordered to take proceedings to enforce the respective balances then due by the Barony Constables.

*W. Montgomery* and fellows.

Ordered, That the sum of £1. 7. 6 recommended by the Presentment Sepions of Raphoe be deducted from the contract of Camper Walker for an Edition by him in N. 33 on the Schedule of Works approved of for tenders and the further sum of £8. be deducted from him for not having printed the Schedules of Works contracted for in the Barony of Kilnicranon and for the County at Large in proper time and for not having delivered to the Secretary within 100 Numbers of the Works approved of at the Raphoe Presentment Sepions.

*W. M. M. M. M.* and fellows

Ordered, That the Board of Superintendence is authorized to expend a sum not exceeding £12. in making the alteration in the Record Court of the Court House suggested by the Hon. Justice Ferris.

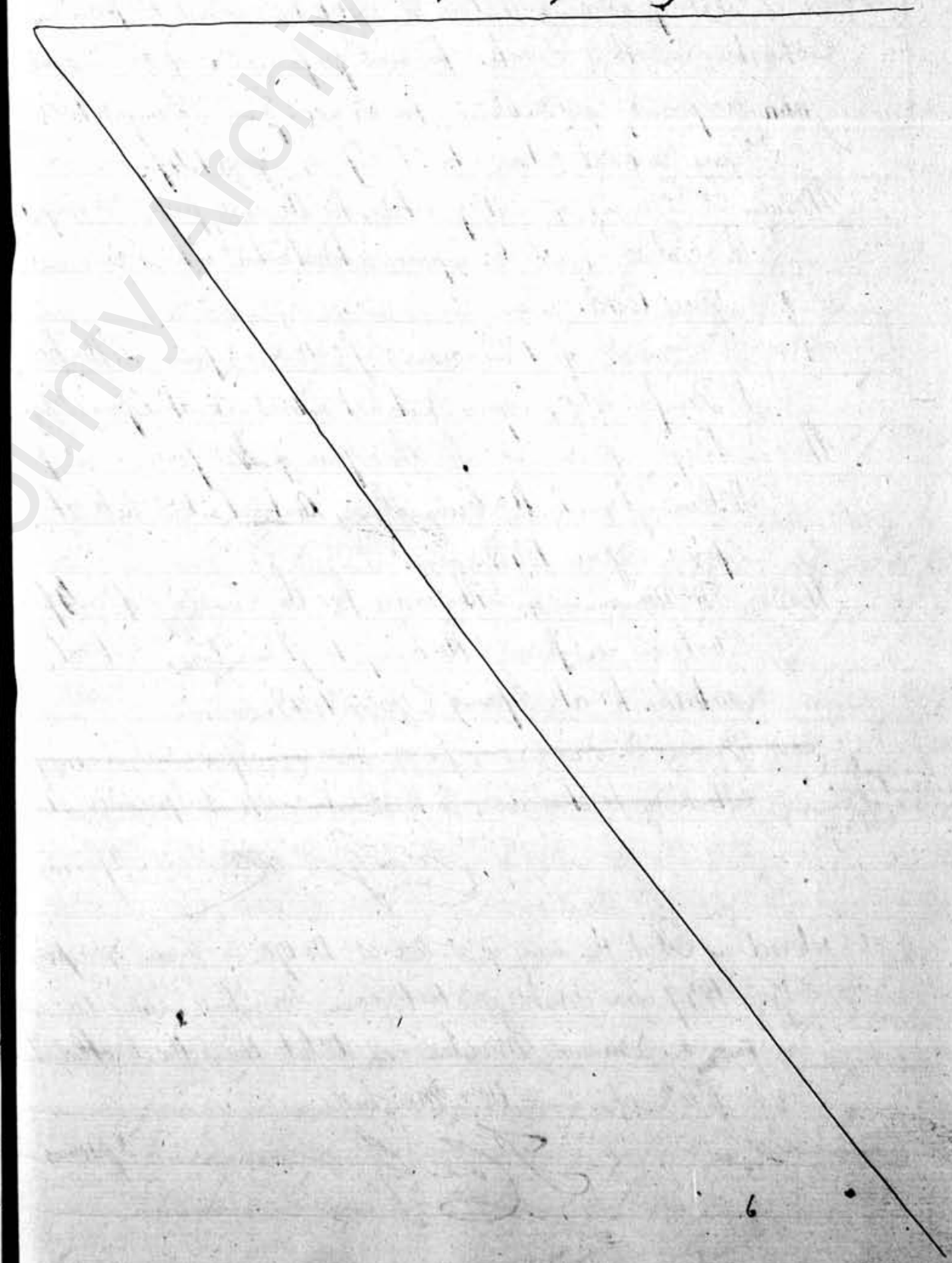
*W. M. M. M. M.* and fellows

Ordered, That the County Treasurer do pay Ezekiel Tyndal Inspector of Weights and Measures the sum of £17. 10. 2 as ascertained and approved by Sir James Stewart Bart. in pursuance of the order of the Grand Jury at last Spring Assizes, and also the further sum of £11. 17. 6 for Incidental Expenses since July Assizes 1848, on Account and support of the Weights and Measures for Longford also approved of by Sir James Stewart Bart. both sums to be paid out of the fines payable to the County lodged in Letterkenny Bank to the credit of the said Treasurer.

*W. M. M. M. M.* and fellows

Ordered, That the Treasurer shall advertise in the usual manner for High Constables and Collectors of the Public Off as may become Account in the respective Baronies after these Assizes.

*W. M. M. M. M.* and fellows



Spring Apprs 1850.

Ordered ~ That the sum of £7. at N<sup>o</sup> 1140. on present Queries presented to Oliver Kelly since deceased be discharged and paid to James Kelly who has been appointed Court House Rep<sup>r</sup>

*J. Conly* and fellows

Ordered ~ That proceedings at law be instituted against the following Contractors and their Sureties for non performance of their Contracts

John McGroarty of Parkbane, for the road from Dangan to Ardara 3 years Contract entered into at Spring Apprs 1849.

William F. Fleming of Castlequarrier, for the road from Derry to the Island of Inch, 3 years Contract entered into at Summer Apprs 1848.

Neal O'Donnell of Kilmacrennan for the road from Letterkenny to Dunsfawagh, 3 years Contract entered into at Spring Apprs 1848.

William Boyle of Carrick, for the repair of 100 perches road from Mr. Cunningham to Mr. Cunningham, Contract entered into at Spring Apprs 1848.

William McManamin of LePortlague for the rebuilding of a 4 feet Arch on road from Letterkenny to Stranorlar, Contract entered into at Spring Apprs 1848.

*Struck out by Co. Surveyors directions before signed by Mr. Conly*

~~William McManamin, for the building 3 feet Arch on road from Letterkenny to Stranorlar, Contract entered into at Spring Apprs 1848.~~

*J. Conly* and fellows

Ordered ~ That the sum of £25. at N<sup>o</sup> 1710 on Queries of Spring Apprs 1849 and discharged to William Marshall since deceased be paid to Samuel Marshall of White Hill the brother & next of kin of said W<sup>m</sup> Marshall

*J. Conly* and fellows

Ordered ~ That proceedings at Law be instituted against the following Contractors and their Sureties for non performance of their Contracts vizt.

Connelly McGeehan of Drumahaire for non performance the road from Stranorlar to Dunglew, 3 years Contract entered into at Summer Apprs 1849.

John Bussay of Dunglew, for the road from Dunglew to the sea at Gunterport 3 years Contract, entered into at Summer Apprs 1849.

*J. Conly* and fellows

Ordered ~ That the Treasurer do pay, Patrick O'Donnell of Spencillan the sum of £2.9.0 discharged at Spring Apprs 1847 - N<sup>o</sup> 1467 to Bryan McGee of Derrylee

*J. Conly* and fellows.

Ordered ~ That the Board of Superintendence shall be at liberty to advance to James Brittain, Contractor for building the Great Hospital from time to time as the Work shall proceed 50 per cent, upon the value of the Work done upon his obtaining the Co. Surveyors Certificate and the approval of the Board of Superintendence and giving his receipts and order upon the Treasurer for such advance, and that the Treasurer shall out of the said fund for said Work repay such sums so advanced & place same to the debit of the said James Brittain.

*J. Conly* and fellows

Ordered ~ That £7.10.0 part of the sum of £12.5.5 at N<sup>o</sup> 1274 on present Queries be discharged and paid to John Connell of Todhols to whom the same is due owing by Robt. Geo. Montgomery late Assistant Surveyor for the Barony of Raphoe.

*J. Conly* and fellows

Ordered That warrants are to issue  
that the late Deputy Constable of  
Kilmacurragh still owes a balance  
on foot of his credit. The sum  
presented for this, Poundage  
he has made he will be paid  
by the Treasurers next next  
assizes -

Monthly &  
fellows.

Summer Assizes 1830.

~~Resolved~~ That the <sup>amount of</sup> county fees due on the half term of  
last November at the last Assizes be paid  
on the first of September, & that the <sup>amount of</sup> county fees due at  
Summer Assizes be paid by the 1<sup>st</sup> November -

Resolved, That the county surveyor be authorized to  
pay to James Galbraith the sum of 29-4-2.  
which had previously represented him -

Mayors  
& fellows

Ordered That the sum of £2.15.5 at No 1279 on present Quires be  
discharged and paid to Edw. Sharkey of Lifford to whom the same is  
due & owing by Rd. Geo. Montgomery late Assistant Surveyor for the Barony of Rathfriland.

Mayors  
& fellows

Resolved That the Treasurer has called our attention to & produced  
the Accounts with the Board of Works on foot of the sum borrowed  
for the making of a New line of road from Leekhenry to  
Hamilton, and that we conceive the same has been fully repaid  
and that the claim made by the Board of Works does not appear  
due thereon - That we direct our Secretary to communicate  
with the Board, and to request that the Accounts may be  
furnished to him for the purpose of having it finally <sup>settled</sup> arranged.  
~~Resolved~~ That the Treasurer be authorized to pay to the Board of Works  
the sum of £1000 on account of the same, and that the Treasurer  
be authorized to pay to the Board of Works the sum of £1000 on  
account of the same.

Grands Jury Room, 16<sup>th</sup> July 1850  
Resolved, Unanimously

That Mr. Jarvis the County Surveyor have intimated to us the Grand Jury that circumstances of a private character compel him to resign the office of County Surveyor, we think it due to him to express our great regret at the prospect of losing his valuable services in our County, and at the same time to bear testimony to the satisfactory and efficient manner in which he has carried out the various duties of his office, which is evident in the great improvement in the Roads, Bridges &c since they came under his charge,

Wm Mayes and fellows

Ordered - That proceedings at law be instituted against the following Contractors & their Sureties for non-performance of their Contracts viz:  
Bryan Mc Laughlin of Ballyloskey for building an Embankment on Mail Car road from Derry to Carradough,

John Ramsay of Ruskey for building a dry wall and Embankment on Mail Car road from Derry to Moiville. - Contracts entered into at Spring Ties, 1849. ~

And that similar proceedings be taken against the following Contractors and their Sureties, provided the Works for which they have contracts be not completed on or before 1<sup>st</sup> November 1850. ~

Hugh Douglas of Coaly for repairing 200 perches of foot path on Mail Car road from Londonderry to Moiville,

Stephen Butler of Listaragan for building a Bridge & filling a hollow on Mail Car road from Carradough to Moiville,

Michael

Michael Cransley Junr of Ballisaghan for repairing a Bridge and Building a flagged pipe on road from Malin town to Malin Well. -  
Owen Diver of Glentagher for rebuilding a Bridge on Mail Car road from Quigleys point to Carradough,

Owen Tolerty of Cregmahama for building a Bridge & filling a hollow on road from Carradough to Buncrana,

James Nelson of Ballykey for repairing 2 Bridges on road from Buncrana to Cregmahama. -

Patrick Joy of Glave for building a Bridge & repairing 2 on Mail Car road from Quigleys point to Carradough. Contracts entered into at Spring Ties, 1850.

Thomas Wilson of Magherastramon for raising the protection Wall at the end of Ravelston bridge on road from Kilsicoman to Fethard ferry, Contract entered into at Spring Ties, 1850. ~

Bernard Murray of Curris for repairing & completing 252 Perches New road from Letterkeney to Slunglow, Contract entered into at Spring Ties, 1850. ~

Wm Mayes and fellows

Resolved - That the Borsary Collectors be directed to pay all arrears of County Cys due at Spring and Summer Ties, 1850 as follows. -

Borsary	Spring	Summer
West Errishower,	1 <sup>st</sup> Sept. 1850,	1 <sup>st</sup> Nov. 1850
East Errishower,	1 <sup>st</sup> Sept. 1850,	1 <sup>st</sup> Dec. 1850
Raphoe,	1 <sup>st</sup> Sept. 1850,	1 <sup>st</sup> Nov. 1850
Kilmacrenan,	1 <sup>st</sup> Oct. 1850,	1 <sup>st</sup> January 1851.
Baragh,	1 <sup>st</sup> Nov. 1850,	1 <sup>st</sup> January 1851.
Tyrhugh,	1 <sup>st</sup> Nov. 1850,	1 <sup>st</sup> January 1851.

And in default of payment according to the above statement, the Treasurer is hereby directed to institute immediate legal proceedings

That Mr. Mansfield late Borsary Collector for Raphoe be required to pay by the 1<sup>st</sup> of November next the sum of £1000. in Cash, and at the road sessions in January 1851 all balance

of

of arrears, and in default of such payment at the respective dates the Treasurer is hereby directed to institute immediate legal proceedings for such Balances as may appear due in fact of the account after allowing credits for the fees now presented and the sum to be represented by the Magistrates and Jessons.

The Undersigned being the Committee appointed by the Grand Jury to examine the Books of the Highmaster & to report to the Grand Jury their opinion on his claim for £15. for extra Labour & Services, Report,

That on examining his books, they find that he has travelled on his ordinary duty, including attendance at Petty Sessions to prosecute offenders, 1746 miles, being at the rate of 873 miles per annum,

They also find that the salary of the former Highmaster was £100 per Annum and £30 per annum for travelling Expens, and that the present Highmaster was appointed under a similar Salary.

That he has therefore received £60 for travelling 1746 miles being within a fraction of 873 for each mile he has travelled, and therefore at 2<sup>d</sup> pence above the charge for a Post Chaise,

That he has also received one Moiety of each Assessment amounting to £34.15.3 being at the rate of £17.7.7 1/2 per Annum in addition to his Salary,

That we consider his Emoluments quite sufficient and that the fall in the prices of all the necessaries of life render these Emoluments greater than those of his predecessor, while the means of paying the County taxes are diminished by the change in those prices.

That we find he has only been obliged to return

to Petty Sessions in consequence of the absence of Magistrates on two occasions, viz once from Letterkenny to Buncrana and once from Letterkenny to Raphoe to furnish additional evidence to the Magistrates who were in attendance on both days in the latter case,

That we find at Balance in his hands of a sum of £37.

That his Books are kept in a clean & satisfactory manner, but can see no grounds to recommend any increase in his Salary which we consider sufficient for the duties to be performed.

Approved

John Macdonald Stewart

Magistrates & Jessons

J. J. Macdonald  
M. J. Jessons

Resolved

That the Freeman be requested to write to the Board of Works, informing them that our County Surveyor has resigned, & requesting them to recommend to the Lord Lieutenant (as soon as possible) a person fully qualified to perform the duties of this large County.

Magistrates & Jessons

Resolved - That the following persons  
be appointed a Committee, with full  
powers to regulate all matters con-  
-nected with the supplying the dinner  
wines &c. for the Grand Jury - 1848.

Capt. Mumpsey

Capt. Fenwick

Mr. Sinclair Esq. and

The High Sheriffs of the County.

Also, That Mr. Crookshank be requested  
to take up from Mr. McCormick, of the House  
of the County House, all the plate &c. of  
the Grand Jury, and have it placed in  
safe keeping for the use of the Grand Jury.

Mays & fellows

Resolved - That the subject of the allocation  
of the Police force of the County being  
brought under the consideration of  
the Grand Jury, the following arrange-  
-ments were approved of, and  
Mr. Townsend the County Inspector  
has consented to carry them into  
effect - viz:

The Police station at Clonliffe  
to be abolished, and the three men  
now stationed there to be incorporated  
with the force at Sifford.

The Stations of Aughlea, Keady  
and the Island of Inch to be abolished

and the men now at these stations to  
be disposed of in the disturbed district  
in Glenmilly -

Mays & fellows  
New Journal  
C. Inspector

Resolved - That Sir James Stewart Bart. and John V. Stewart  
Esq. be appointed a Committee to communicate with the County  
Members & point out the grievances to which this County has been  
subjected in consequence of the insufficient number of Police officers  
to it under the 11 & 12 of Victoria Chapter 72, with a view of  
showing the insufficient number attached to this County as compared  
with the other Counties in Ireland & the propriety of a more  
equitable redistribution of the whole Police force of Ireland.

Mays & fellows.

Ordered - That the County Treasurer do pay Mr. Spruce the sum  
of £ 12: 7: 11 out of Prepayment 12/4 on present Quire, being  
the amount of taxed Costs of proceedings taken against John William  
& his Executors for non fulfillment of Contract to make a New  
line of road from Letterkenny to Conroy & take credit for same  
out of the sum about to be certified by the Co. Surveyor on  
account of said road

Mays & fellows

Ordered - That out of the sum of £ 16: 3: 10 levied & now in the  
hands of the Sheriff upon decrees against defaulting Contractors, the  
Sheriff shall pay over to Mr. Barrett the Segrived Crown Solicitor  
the sum of £ 12: 1: 6 the amount of his Bill of Costs for proceedings  
at Segrived from June 1848 to June 1850 inclusive

Mays & fellows



Ordered that the sum of £307. 3. 10 discharged at last  
Apizes to William Black late High Constable of the Barony of  
Kilencorenan be placed to the credit of the public account, and  
that the Treasurer be Directed to withhold the payment of  
the two Presentments of £91. 5. 1 and £93. 19. 9 to the said  
William Black until the next Apizes *Wm. J. H. H. H.*

Inasmuch as at the last Apizes it was ordered that the Board of  
Superintendence should be at liberty to advance to James Bird  
Contractor for building the Great Hospital from time to time as  
the work should proceed fifty per cent upon the value of the  
work done upon the terms therein specified, it is now further

Ordered that if the said Contractor shall have the <sup>work</sup> fully  
completed and certified and taken off his hands by the county  
Surveyor with the approbation of the Board of Superintendence  
that the Board shall be at liberty to extend the advances to  
thirty five per cent upon the whole of the contract, upon  
the same terms as specified in said order of last Apizes *Wm. J. H. H. H.*

## Spring Assizes 1851.

Ordered that the Treasurer do pay to Patrick Corriev  
of Meenavannah the following sums discharged to Charles Corriev  
of Carnawkeel at last Summer Apizes & since deceased (vizt.)  
N<sup>o</sup> 417, £12. 10. 0 & N<sup>o</sup> 581 £12. 10. 0  
*Wm. J. H. H. H.* and fellows,

Ordered, That the Treasurer do pay to John  
Craig Jun<sup>r</sup> Esq<sup>r</sup> of Killygordon  
who has been appointed Treasurer of the  
Killygordon Dispensary in the rooms of the  
late Johnston Mansfield Esq<sup>r</sup> the sum  
of £67. 5. 0 the amt. of the Presentment  
made at Summer Apizes 1850, & now payable  
& N<sup>o</sup> 169 on the Quire at ill. o. apizes  
*Wm. J. H. H. H.* & fellows

Resolved. That our County members be requested  
to obtain leave to bring in a Bill in Parliament to  
empower the Lord Lieutenant or the Government in  
Ireland, at any future time to redistribute the  
present existing force of Constabulary in it in  
such manner as to ensure an equal proportion of men  
to each County in proportion to area & Population.

*Wm. J. H. H. H.* and fellows

Resolved. That our Foreman be requested to call on the  
Commissioners of Education and to say that the  
Police Station at Sawnawilly is comparatively useless  
for general purposes in consequence of the Barracks being  
so far off the leading road, and that Col. M<sup>r</sup> Gregor  
has ordered the removal of the Station in the event of

accommodation being procured on the Barnmore Coad Road and requesting the Commissioners of Education will build a Barrack on their property, where it may be considered most convenient and suitable for the tranquility of the district - the rent of which will fully remunerate them for the outlay, besides <sup>the</sup> very great advantage they will derive from the continuance of a Police force on their Estate.

*Smith* and fellows.

Resolved - That with reference to the Medical Charities Bill we wish to draw the particular attention of our County Members to it, and instruct and request them to watch its progress before the House of Commons, and take care that such provision be inserted in it, as will secure the application of all the funds at present belonging to our County Infirmary and the Medical Charities for the exclusive benefit of this County, under any new arrangements contemplated by the said Bill.

*Smith* & fellows.

Ordered - That proceedings at law be instituted against the following Contractors & their Trustees for non performance of their Contracts by  
Charles Gallagher of Mullacntyboyle for the road from Glenties to the Sea at Laxford, 3 yrs Contract entered into at ~~Spring~~ <sup>Summer</sup> ~~1849~~ <sup>1849</sup>.  
Patrick M. Loan of Maun, for the road from Glenties to Marin One years Contract entered into at Summer ~~1850~~ <sup>1850</sup>.  
Neal Loherty of Urrismanagh for the road from Buncrana to Company One years Contract entered into at Summer ~~1850~~ <sup>1850</sup>.  
William Cropper of Woodland for repairing 1000 perches road from Kilmacranan to the Quay at Cuckuray, Contract entered into at Spring ~~1849~~ <sup>1849</sup>.  
John Thornton of Killybeg for repairing 1000 perches road from Letterkenny to Liffinagh Contract entered into at Spring ~~1850~~ <sup>1850</sup>.

And that similar proceedings be taken against the following Contractors and their Trustees provided the works for which they have contracted be not completed on or before the 12<sup>th</sup> and 20<sup>th</sup> May 1851.

On 12<sup>th</sup> May 1851.

Bryan M. Laughlin of Ballyloskey for repairing the Abutments & pier of a bridge on Mailfar road from Dingley point to CarnDonagh. Same Bryan M. Laughlin for building 1 flagged pipe & protection wall on side of Mailfar road from Dingley point to CarnDonagh, Contracts entered into at Spring ~~1850~~ <sup>1850</sup>.

John Long of Dunag, for repairing a bridge & paving the water course on road from CarnDonagh to Cilduff -

Bryan M. Laughlin of Ballyloskey for repairing the Abutments of a bridge & paving same on Mailfar road from Dingley point to CarnDonagh. Contracts entered into at Summer ~~1850~~ <sup>1850</sup>.

<sup>presented, Contractor</sup> <sup>to County</sup> <sup>to County</sup> On 20<sup>th</sup> May 1851. George Loherty of Graushaw for rebuilding 2 flagged pipes & repairing one on Mailfar road from Lerry to Buncrana, Contract entered into at Spring ~~1849~~ <sup>1849</sup>.

Edward McElrath of Tolet for repairing 646 perches road from Lonsdownery to Letterkenny, contract entered into at Summer ~~1849~~ <sup>1849</sup>.

Charles Kerney of Drumadosey for building 30 perches of sod fences on side of road from the sea at Burnfoot to Moville.

Hugh Mooney of Drumadosey for repairing 550 perches road from Lerry to Buncrana.

George Loherty of Graushaw for building a protection wall on road from Buncrana to Burnfoot,

Neal Farrow of Trebracken for building a flagged pipe on road from Lerry to Buncrana, Contracts entered into at Spring ~~1850~~ <sup>1850</sup>.

John King of Bonemain for the road from Burnfoot to Letterkenny One years Contract.

Charles Friel of Oranagh for rebuilding a bridge on road from Buncrana to Moville, Contracts entered into at Summer ~~1850~~ <sup>1850</sup>.

*Smith* & fellows.

Resolved. That the Grand Jury not having any intention of adding to the Court House, do return to Lord Erne the portion of ground immediately adjoining the Court House which he had generously offered us for that purpose and that in so doing, we beg to express our best thanks to Lord Erne for his munificence.

*Henry* and fellows.

Ordered. That the Treasurers do pay Robert Cliphant of Grange land the following sums on present Duress, <sup>standing in the name</sup> of W<sup>m</sup> O'Donnell of Castlefin, viz. N<sup>o</sup> 24 £12:8:2 N<sup>o</sup> 121 £12:8:2 - ~~N<sup>o</sup> 122 £6:4:2~~

*Henry* and fellows.

Ordered. That inasmuch as on a settlement of the accounts of Robert Mansfield late High Constable of the Barony of Raph it appears that the sum now remaining due by him to the County is £490. 1. 2, after giving credit for the Poundage now presented and which includes all poundage claim. That he be given three months to pay in the one half of said sum, and if then paid to the Treasurer, that he be given three months more to pay the balance, but if the first sum be not paid at the time fixed, the execution to be issued for the full sum.

*Henry* and fellows.

Ordered. That the proceedings taken against the High Constable O'Donnell and his securities be followed up, and execution forthwith issued for the amount appearing due.

*Henry* and fellows.

Resolved. That the High Constable for the Barony of Kilmacrenan having proposed, and his proposition having been acceded to by the Grand Jury, that he should be allowed such time as to pay the sum of £2000. at the time of the ensuing Quarter Sessions in April, and the remainder of the arrears viz. £210. 4. 3 immediately previous to the ensuing Summer Assizes.

*Henry* and fellows.

Resolved. That the Barony Constable for the Barony of Banagh be directed to pay the sum of £1000 at the ensuing April Quarter Sessions, and the remaining sum of £638 to be paid previous to the ensuing Summer Assizes.

*Henry* and fellows.  
under 13<sup>th</sup> + 14<sup>th</sup> Vic. (102,

Resolved. That we approve of the Head Constables hereinafter named, who have been selected by the County Inspector to be ex officio Inspectors of weights and measures for this County within the respective Districts or stations annexed to their names viz.

Names	Districts
Alexander Vance	Letterkenny
Renny Martin	Raphoe
Daniel Boyce	Ballybofey
Charles McCartney	Ballyshannon
John Friel	Keelybegs
William Delany	Dungloe
Thomas Brown	Dunfanaghy
William Orroth	Carndonagh
James Elliott	Bunmerques
George Cassidy	Ramelton
John Brittain	Glenties

And we further order that the Board of Superintendence

of the Gaol shall advertise for and procure from Liverpool or Dublin or Birmingham ten copies of Iron weights and precise measures for their uses, and that the Inspector of the and measures for the County be discontinued ~~for some~~ after the next Summer Assizes, and the duties of the office performed by an officer of Constabulary to be appointed, by the Grand Jury with the approval of the Inspector General of Constabulary

Resolved, *J. M. G.* } *specious,*  
That the County Surveyors attention be directed to the Barony of Banagh that he may draw up a Schedule of prices for road material which may obviate the disparity now existing between it and the different Baronies of this County

Ordered, *J. M. G.* } *if follows*  
That each Barony Constable do furnish a statement of his Collection up to the day of presenting same to the Grand Jury at each Assizes in the form to be supplied to him by the Secretaries of the Grand Jury

Ordered, *H. M. G.* } *if follows*  
That proceedings at Law be instituted against the following Contractors & their Sureties for non performance of their Contracts viz.  
Hugh Gallagher of Rarough for road from Letterkenny to ~~some~~ <sup>not exceeding 200 paces</sup> ~~and some~~ <sup>Bally</sup> Hugh Gallagher for building & flagging pipes on road from Letterkenny to Ballybogy, both Contracts entered into at Spring Assizes 1850.

Isaac Doherty of Labrish for road from Letterkenny to Derry  
Contract entered into ~~for~~ at Spring Assizes 1850.  
Jeremiah O'Donnell of Ruskey for road from Castlefin to ~~some~~  
Contract entered into at Summer Assizes 1849.

*J. M. G.* and fellows

(Copy)  
Report on the subject of the Police force in the County Donegal  
Under the act by which the Police force in Ireland was originally constituted, and which assigned a specified number to each Barony, the County of Donegal was inadequately provided for, from having only 7 Baronies, altho it is the 4<sup>th</sup> County in area; while others, such as Meath, less than half its area and with less than two thirds of its population, got; from having 18 Baronies more than double its force.

Subsequent disturbances shewed that an increase to this inadequate force was necessary; and this augmentation was supplied for temporary purposes, by a draft from the County South Force, which tho the smallest County in Ireland and with much less than half the population of Donegal, and one fifth of its area; has a larger force of Police.

Having been introduced for this temporary purpose, this force was still considered by the Police authorities (tho paid for by Donegal) as a portion of the South force, from which County they were drafted.

When the Public service ceased for which they were originally introduced, some economists in Donegal proposed that they should be removed, but on the earnest remonstrance of Col. MacGregor in official statements addressed to the Magistrates, shewing that Donegal was the most "under policed" County in Ireland; the Magistrates at two public meetings of their body convened for that purpose determined on their permanent allocation in the permanent stations for the County.

of the Gaol shall advertise for and procure from Dublin  
or Liverpool or Birmingham ten copies of Iron weights and  
proper measures for their use.

5<sup>th</sup> Six or three years subsequent to this in 1846, by the 9<sup>th</sup> & 10<sup>th</sup> Vic.  
cap. 97 the charge of the Police force was thrown on the consolidated  
Fund, and the cost of the Police force of this county comprising  
its original force and the 50 men drafted from the ~~County~~ South  
force 8 or 10 years previously, was paid for out of the consolidated  
Fund; until the passing of the 11<sup>th</sup> & 12<sup>th</sup> Vic. cap. 72. (1848) the  
Schedule of which act limited the force of this county to 176  
instead of 226 men, under the view, that the 50 men of the South  
were only allocated for temporary purposes, and not required for  
the ordinary service, and allocated in the permanent stations  
of the county.

6<sup>th</sup> That this county was not aware of this distribution with regard  
to the ~~County~~ South force, which antecedent to 1846 when the charge  
was thrown upon the Consolidated Fund, was considered to be  
an integral part of the permanent force of the county, and it  
was only made aware of this distinction, when called upon to pay  
for these 50 men as an extra force thi stationed in the county for  
8 or ten years, and subsequently allocated in its permanent stations.

7<sup>th</sup> The accompanying Table shows how much this county is under-  
policed, when compared with the other counties in Ireland, both with  
reference to area and population; and the increase of crime which  
has taken place since the removal of these miscalled South force  
evidences the inadequacy of the force of this county, and the impolicy  
and injustice of the arrangement.

8<sup>th</sup> That this County has now its permanent force paid by the Con-  
solidated Fund 50 men less than it had in 1846 on the passing  
of the 9<sup>th</sup> & 10<sup>th</sup> Vic. C. 97 and which force was intended to be, and  
was paid by the Consolidated Fund till within the last two  
years.

The annexed table shews 1<sup>st</sup> That Donegal is the 4<sup>th</sup> County in area  
The 10<sup>th</sup> in Population,  
Yet only the 26<sup>th</sup> in no. of Police,  
and that while in Cavan there is 1 Policeman to 667 of Population

in Carlow	1	"	to 570	"
in South	1	"	to 485	"

there is only in Donegal 1 " to 1684 "  
while the average of all Ireland is 1 to only 817 "  
therefore Donegal is one half below the average

In Cavan there is	1	Police to	1193 acres -
in Carlow	1	"	to 1465 "
in South	1	"	to 764 only
there is in Donegal but	1	"	to 6780

The average of all Ireland is 1 to only 2880

Therefore Donegal is one third below the average.

Secondly the Table shews that taking the entire Police force of Ireland  
10,006 and dividing it by 32 the no. of counties, Donegal would be  
entitled even if only an average county to 312 men.

It has only - 176

therefore it is under-policed 136 on the average, altho it is the 4<sup>th</sup> County  
in area & 10<sup>th</sup> in Population -

Thirdly the table shews that there are 17 counties less populous and  
21 counties of less area with a larger force in each than <sup>in</sup> Donegal.

A reference to the map of Donegal will show that from  
the numerous intersections and indentations of the county  
by deep bays of the sea, the distribution and centralization  
of the Police force within it is peculiarly difficult, and  
therefore to place this county on a par with others as to the efficiency  
of its police a more numerous force would be requisite than in  
others where these disadvantages do not exist.

The Grand Jury of Donegal to meet this serious evil  
suggest that the Government should obtain from Parliament  
a Power of redistributing the Police force of Ireland with  
due

due reference to the area, Population & crime of the different counties; and thus obtain out of the disproportioned numbers some, an adequate number for all; without adding to the charge on the consolidated Fund, and the annexed Table shows that this could easily be effected.

By an equal distribution of the existing force at present allocated in the 32 Counties in Ireland, an average force of 312 men would be applicable for each (tho' Donegal at present the 4<sup>th</sup> in class has but 176) and by giving a lesser number to the smaller counties and a greater number to the larger ones, an adequate force would be applicable for all; and a power of <sup>future</sup> redistributing according to circumstances, and the particular exigencies of Counties at peculiar crises ought to be vested with the Government or Lord Lieutenant as the charge is now borne by the Consolidated Fund for the public and general good, no County can complain that a public force, paid by the state should be equitably allocated according to the wants and circumstances of each County, and being a public charge to which all contribute no other distribution can be just, satisfactory or useful; and it must be evident, that throwing upon this County the charge of 50 men at a cost of £900 per annum, in order to create a force which it had for 10 or 12 years, and which Col. Macgregor has stated in official documents, was not even then adequate to the ordinary service of the County, must produce in this poor County, great discontent, particularly so when that charge can be shown so clearly as in the annexed table to be manifestly unjust and unequal as compared with other Counties; and no one can doubt that the discontent which this unjust taxation engenders must tend to excite those crimes which the Police force is specially appointed to suppress. There may be some slight inaccuracies in the dates; as the County Inspector absolutely refused to furnish us with them, or to give us the dates or copies

of Col. Mac Gregor's communications to the Magistrates or copies of their Resolutions, but these can be moved for in the House of Commons if necessary.

"Signed"

J. Stewart Esq.

John Vandeleur Stewart

Counties	No. of Police	Population in 1841.	Area in acres	Area in Population.	Order in Area	Order in Police
Antrim	232	360,875	762,453	7	9	18
Armagh	145	232,893	328,076	15	27	31
Carlow	157	86,228	221,342	32	32	28
Cavan	400	243,158	447,360	14	19	7
Clare	400	286,394	827,994	12	7	8
Cork	712	853,118	1,546,333	1	1	3
Donegal	176	296,448	1,193,443	10	4	26
Down	224	361,446	611,919	6	11	20
Dublin	231	372,773	226,414	5	31	19
Fermanagh	181	156,481	457,195	23	22	25
Galway	769	440,198	1,566,354	2	2	2
Kerry	168	293,880	1,186,126	11	5	27
Kildare	250	714,488	418,436	31	25	16
Kilkenny	460	202,420	509,732	17	16	4
Kings County	319	146,857	493,985	26	18	11
Letchin	311	156,297	392,365	24	26	12
Limerick	467	330,029	680,822	8	10	5
Londonderry	96	223,174	518,595	16	15	32
Longford	191	175,491	269,409	30	29	23
Louth	264	128,240	201,906	28	26	15
Mayo	274	355,887	1,363,882	4	3	14
Meath	324	183,828	578,899	21	13	10
Monaghan	145	200,442	519,787	19	28	30
Queens County	856	153,930	424,854	35	24	9
Rosecommon	447	263,591	607,691	13	12	6
Sligo	191	180,336	461,753	22	21	24
Tipperary	1,030	435,553	1,061,731	2	6	1
Tyrone	150	312,956	806,640	9	8	25
Waterford	249	196,187	461,553	20	20	21
West Meath	382	141,300	458,468	27	22	13
Wexford	240	202,033	576,588	18	14	17
Wicklow	199	126,143	500,175	29	17	22
Total	20,006	8,175,124	30,808,271			

Copy, Reply of the Lord Lieutenant to the foregoing report,

Dublin Castle 15<sup>th</sup> Novr 1850

7/320  
Sir, I am directed by the Lord Lieutenant to inform you, that His Excellency has had under his consideration your letter of the 18<sup>th</sup> Oct. with the accompanying report of a Committee of the Grand Jury of Donegal.

It is true that the original County Establishments of Constabulary referred to the number of Barones, rather than to the extent, population & social state of each County, but this arrangement gave greater power to the Magistrates of each County. The Lord Lieutenant had no authority without their consent, to augment permanently the limited Establishment allotted to such a County as Donegal; while in a County of less extent & population, but with a greater number of Barones, He was empowered to raise the Police force without consulting the Justices to the larger number allowed by law, But on the other hand if the Magistrates of Donegal had at any time felt that the original Establishment was too limited, they would have been well aware that they had only to apply for an augmentation under the provisions of the 6 Wm 4. C. 13. Sect. 12. Where their request would no doubt have been granted. His Excellency however believes that no such application was ever made, nor any complaint preferred, of the too small number of Police in that County, on the contrary the Magistrates not only declined to apply for any enlargement of their permanent Police establishment but repeatedly remonstrated against the introduction & the continuance of a temporary force which circumstances rendered it imperative on the Government to place in Donegal.

It is true that at a subsequent period

when the Magistrates took the question of removing the fifty additional men into further consideration it was decided by a small majority of 24 to 21, that no application should at that time be made to Government for their removal. But to show that they still regarded the force as only temporary & consequently forming no part of the permanent Establishment, their resolution on the subject was qualified by the statement "that they did not consider any reduction advisable at present in the existing state of the County."

The auxiliary force therefore continued to be distinguished from the County Establishment, in all the returns and accounts of Expence laid periodically before the Magistrates & ratepayers, and no attempt was ever made to place it on a permanent footing.

Under these circumstances it seems unaccountable that the Justices & other intelligent ratepayers should have remained for so long a course of time, in ignorance of the nature of the force in question.

When the Legislature in 1846, determined to charge the Expence of the Irish Constabulary on the consolidated fund it became necessary to decide on the principle that should regulate this boon to the Counties. It was accordingly enacted that each County should be relieved from the expence of its then existing establishment, exclusive of course of any extra or auxiliary force belonging to other Counties. The local Magistrates were actually regarded as the best Judges of the want of Police protection in their respective Counties Donegal had frequently expressed its conviction

of the adequacy of its existing Establishment, by  
resisting any addition to it. while the Magistrates  
other Counties (in Tipperary & Limerick for example  
had afforded equally strong evidence of the sincerity  
of their opinion on the same subject, by taxing  
themselves & the other Ratepayers to an enormous  
amount, for the permanent maintenance of a large  
additional force. It was therefore concluded that  
in Donegal the permanent Establishment, so  
approved of by the Magistrates was sufficient  
that in Tipperary & other Counties similarly  
circumstanced, the Establishment was not more  
than sufficient, for the future preservation of  
the peace in ordinary times & that should ex-  
traordinary circumstances arise it would only  
be just that the County, interested in them should  
be charged with a moiety of the Expense of  
any extra force that might be required.

On this principle the Schedule to the Act  
of 1848 was framed. The number of men thereby  
authorized to be charged on the Consolidated  
Fund was not arbitrarily fixed. It was  
only the sum of all the County Establishments  
already approved of by the Magistrates. In  
other words it was the amount of the force which  
in the opinion of the Magistrates had been  
required for the ordinary state of crime in the  
several Counties. That the Quotas of Police  
granted by that Schedule to the Counties than  
Donegal were not excessive, is shown by the fact  
that since that period an Extra force still  
has been demanded generally to the number of  
between 2000, and 3000, men, or, on an  
average of 80 for every County in Ireland.

It is alleged in that report that after the passing  
of the 9 & 10 Viet. C. 97. & until the passing of the 11 and  
"12 Viet. C. 72." The cost of the Police force of Donegal  
"comprising its original force & the 50 men drafted  
"from the South force for 10 years previously was  
"paid from the consolidated fund." This statement  
is quite erroneous. The moiety of the charge for  
the 50 men in question was laid before the Grand  
Jury for presentment at every Assizes, during the  
period referred to. The amount for the first-  
half year after the 9 & 10<sup>th</sup> Viet. C. 97. came  
into operation was £448. 2. 0. which sum  
was presented at the summer Assizes of 1847.

His Excellency is informed that the  
Committee of the Grand Jury are in error in  
representing the charge for the 50 men in question  
as amounting to £1300. per annum, the actual  
amount being only about £580. per annum.

His Excellency cannot but fear that any  
general alteration in the Establishment of Police  
determined by the 11 & 12 Viet. 72 would lead to  
serious confusion & interminable disputes. No  
principle of distribution has been suggested,  
which could be preferred to that adopted in  
the Schedule to that Act - viz - that the  
numbers of the ordinary Establishments, for  
which the Counties should not be charged,  
should be those which the Magistrates had  
found to be requisite under ordinary circumstances,  
and for the maintenance of which under the  
previous state of the Law they had been willing  
to tax their respective Counties. —  
and with reference to the Case of Donegal, His  
Excellency does not perceive in the representations  
which



which have been made by the Committee of the Grand Jury, any sufficient grounds for proposal to Parliament, such an amendment of the Act referred to as would relieve that County from the charge complained of.

I have the Honor to be  
Your <sup>Sir</sup> obedient Servant  
J. V. Redington

### Summer Assizes 1857

Ordered, That Whereas Stephen Butler of Lonsdale and for the East Half Barony of Emishowen contracted at Spring Assizes 1850 to build a Bridge & pier as follows on the road from Carnadough to Monille for the sum of £49.1.4 No 74 on Public Order and Whereas not having performed his contract in proper time he was sued for damages at the last Michaelmas Term and a Decree obtained against him for £6.6.11 and Whereas the sum of £49.1.4 has been now discharged & payable to him for said work & the said Stephen Butler has applied to the Grand Jury that instead of buying said Decree off his goods the said sum be returned by the Treasurer out of said sum of £49.1.4 so discharged at No 622 on the present Quire - the Grand Jury have consented thereto and Ordered that the Treasurer shall retain same & pay it over to the Sheriff to be accounted to the above Receiver for by him,  
Stephen Butler  
and fellow.

Ordered - That Whereas Owen Tokarty of Cragmahon in the East Half Barony of Emishowen contracted at Spring Assizes 1850 for building a Bridge on road from Carnadough to Buncrana for the sum of £50, at No 80 on Public Order - And whereas not having performed his contract in proper time he was sued for damages at the last Michaelmas Term & a Decree obtained against him for £10.6.11 - And whereas the said sum of £50 has been now discharged & is payable to him for said work & the said Owen Tokarty has applied to the Grand Jury, that instead of buying said Decree off his goods the amount be returned by the Treasurer out of said sum of £50 - so discharged at No 625 on the present Quire - the Grand Jury have consented thereto & Ordered that the Treasurer shall retain same & pay it to the Sheriff to be accounted for by him.

I consent to the above  
Owen Tokarty  
and fellow

Ordered, That the Justices do employ  
 a proper person or persons to inquire  
 as to the Case of the Taxes at Present  
 of James Hamilton High Constable  
 and Collector of County Cess for  
 the Barony of Tynduff, & of  
 Abraham for absconding with  
 Public money & that the Costs  
 of such Proceedings be defrayed by  
 the County or Barony

Resolved - That the Barony of Kilmacrenan appearing to have  
 fallen into arrears of no less a sum than £4935. 7. 10 of  
 Labour Rate and County Cess, it appears to the Grand Jury  
 to be expedient that a Committee be formed consisting of  
 Sir James Stewart Bart. Lord George Hill, John Boyd,  
 Thomas Bart, Mybrants Alphert, G. C. Gray, Henry Sether,  
 John Sproule, and Thomas Patterson Esquires, with power  
 to add to the number such persons as the Committee may  
 deem fit, and upon which Committee the Baronial  
 Constable is hereby ordered to attend, to render every  
 facility to their examining into the state of the Books  
 receipts and payments of the sub-collectors, and the  
 Secretary to the Grand Jury is hereby ordered to take process  
 against the Baronial Constable should the Committee  
 after a full enquiry into the matter think right to  
 desire him to do so, and that Sir James Stewart Bart. do act as the  
 Chairman -

*[Signature]* and fellows

for Mr. Hamilton  
 Hamilton  
 each  
 of  
 the  
 57

Ordered - That the following persons be appointed as a  
 Committee for the Barony of Raphoe, who shall have power to call  
 the Barony Constable and Mr. Mansfield <sup>the late Barony Constable</sup> before them in such  
 place and at such time as they may appoint, and that they  
 shall order Execution to be issued forthwith against them or  
 either of them if on examination of their accounts they shall  
 think fit so to do, or to stay the execution to such time as they  
 may consider prudent, and that James Johnston Esq. do act as the Chairman,  
 Sir E. Hayes, Bart. ✓ John Ferguson Esq. ✓  
 John Cochran Esq. ✓ W. Sinclair " ✓  
 J. Johnston " J. Anderson " ✓  
 Mr. Young " ✓ Wm. Humphreys " ✓  
 Captain Fenwick ✓ Mr. John Speer ✓  
 R. Montgomery Esq. ✓ " Saml. Ramsay ✓  
 John Peers " ✓ Sir Robt. Ferguson Bart. ✓

Ordered - That the following persons be appointed as a  
 Committee for the Barony of Tyrhugh, who shall have power  
 to call the Barony Constable before them in such place, and  
 at such time as they may appoint, and that they shall order  
 Execution to be issued forthwith against him if on examination  
 of his account they shall think fit so to do, or to stay the  
 execution to such time as they may consider prudent, and that  
 Alexander Hamilton Esq. do act as the Chairman -  
 Thomas Conolly Esq. ✓ Mr. Hamilton Esq. ✓  
 Mr. Fredennick " ✓ Chas. Johnston Esq. ✓  
 Tho. Atkinson " ✓ J. Johnston Esq. ✓  
 Mr. Dillon ✓ John Cunningham Esq. ✓  
 Henry Coane Esq. ✓ Anthony Diver Esq. ✓  
 Rev. George Fredennick ✓

*[Signature]* and fellows

Ordered - That the following persons be appointed as a committee for the Barony of Banagh who shall have power to call the Barony Constable before them in such place and at such time as they may appoint, and that they shall order execution to be issued forthwith against him if on examination of his account they shall think fit so to do, or to stay the execution to such time as they may consider prudent, and that Thomas Brooke Esq: do act as convenor.

*Copy for Mr. Brooke & Mr. Russell  
5 Aug 57.*

Mr. Brooke ✓      Mr. Sinclair ✓

Mr. Wilson ✓      Mr. Cobb ✓

Mr. Russell ✓      Mr. Wm. Graham ✓

Mr. A. Hamilton ✓      Revd. Mr. Welsh ✓

Mr. R. Hamilton ✓      Mr. Griffith ✓

Mr. Thedennick ✓      Mr. Bustard ✓

Mr. [Signature] and fellows -

Ordered - That the following persons be appointed as a committee for the Barony of Baylagh, to arrange and advise with the Treasurer in procuring a proper collector or collectors of the Public Cess and to examine into the Fiscal affairs of the Barony and to take such steps as they may think advisable in relation thereto, and that James Hamilton Esq: do act as convenor.

*Copy for Mr. Hamilton & Mr. Russell  
5 Aug 57.*

Mr. George Hamilton ✓      Revd. Mr. Ovens ✓

Mr. Russell ✓      Mr. A. Hamilton ✓

Mr. James Hamilton ✓      Moore Orr ✓

Mr. Foster ✓

Mr. [Signature] and fellows -

Ordered - That the several High Constables, and the several Sub-Collectors do lay before the several Committees now formed, full lists of the names, residences and all defaulters with the sum due by each individual & showing for what Cess same is due distinguishing same from County Cess and sums not in said lists, and so show to the said Committees by charge and discharge of Collectors.

*Copy for each High Constable*

Resolved - That the County Surveyor do apply at the next Parliament Sessions to be held for the West Half Barony of Enniskowen, for the repair of the mail car road from Derry to Kumerana, between the Parish meeting at Suddon and Kumerana Market House, and that John Tolant the present contractor for same, be released from it after the next Assizes at his own particular request -

Mr. [Signature] and fellows -

Ordered - That the following persons be appointed as a committee for the West Half Barony of Enniskowen who shall have power to call the Barony Constable before them in such place and at such time as they may appoint and that they shall order execution to be issued forthwith against him if on examination of his account they shall think fit so to do, or to stay the execution to such time as they may consider prudent, and that J. Colhoun Esq: do act as convenor.

*Copy for Mr. Colhoun & Mr. Miller  
5 Aug 57.*

Mr. Colhoun ✓

Mr. Miller ✓

Mr. Dougherty ✓

Mr. [Signature] and fellows -

Ordered - That the following persons be appointed as a committee for the East Half Barony of Enniskowen who shall have power to call the Barony Constable before them in such place and at such time as they may appoint and that they shall order execution to be issued forthwith against him, if on examination of his account they shall think fit so to do, or to stay the execution to such time as they may consider prudent, and that J. Harvey Esq: do act as convenor.

*Copy for Mr. Harvey & Mr. Young  
5 Aug 57.*

John Harvey Esq: ✓

George Young Esq: ✓

James Sheil Dougherty Esq: ✓

Saml Rankin Esq: ✓

Mr. [Signature] and fellows -

Ordered - That proceedings at Law be instituted against the following Contractors & their Sureties for non performance of their Contracts

- Francis Dodson of Meenaghleady, for the road from Gortshock to Dunglew.
- James Ewing of Ballycove, for the road from Letterkenny to Milford, contracts entered into at Spring Assizes 1850.

And that similar proceedings be taken against the following Contractors & their Sureties, provided the works for which they have contracted not completed on or before the 1<sup>st</sup> of September, 1<sup>st</sup> of October and 1<sup>st</sup> of November next.

On 1<sup>st</sup> of September 1851

John Kennedy of Ballymacarney for road from Buncrana to Moville  
 James Smith of Ballycove, for road from Letterkenny to Milford  
 Wm. M<sup>r</sup> Kelly of Drom, for not not damming at Mill Bar, road from Milford to Letterkenny

Contracts entered into at Spring Assizes 1850

- William Campbell of Carnamaddy, for road from Lerry to Letterkenny
- James Doherty of Gortshock, for road from Carnadonagh to Buncrana <sup>the sea at Moville</sup>
- James Doherty of Gortshock, for road from Buncrana to the sea at Drom
- Edward Doherty of Trillick, for road from the sea at Baylet to the sea <sup>at Drom</sup>
- Hugh McLaughlin of Coleraine, for road from Derry to the sea at Island of <sup>at Drom</sup>
- James Smullen of Talscarrough, for road from Letterkenny to Talscarrough, <sup>contracts entered into at Summer Assizes 1850</sup>
- James Smullen of Talscarrough, for road from Letterkenny to Talscarrough, <sup>newly contracted entered into at Summer Assizes 1851</sup>
- John Brown of Carr, for road from Letterkenny to Dunglew.
- James Lafferty of Drom, for road from Kilmaenan to Fudon.
- James McFiee of Ballycove, for road from Gortshock to the sea, <sup>at Drom</sup>
- Pat McCallum of Newtown Carradon, for road from Rathmullan to Carradon, <sup>two contracts -</sup>
- Wm. McConnellague of Ballycove, for road from Letterkenny to Milford.
- Edward Donnell of Gael, for road from Kilmaenan to Fudon.
- Pat Donnell of Meenaghleady, for road from Gortshock to Dunglew.
- James Ewing of Ballycove, for not building 2 flagged pipes on road from Milford to Letterkenny.
- Thomas Melrose of Drumalley, for not repairing Drumalley Bridge road from Ramullen to Carradon.

John McHugh of Tober, for not building a Bridge on road from Letterkenny to <sup>Churashill</sup>  
 Contracts entered into at Summer Assizes 1850.  
 Patrick Barran of Ballyrain, for road from Lifford to Ramullen.  
 John Kelly of Meentubert, for road from Letterkenny to Dunglew.  
 Charles Mitchell of Tober, for road from Letterkenny to Dunglew.  
 John McGlinchy of Glenkerragh, for road from Letterkenny to Dunglew, Contracts entered into at Summer Assizes 1848.

On 1<sup>st</sup> of October 1851.

- William Doherty of Aughmesel, for the road from Carnadonagh to the sea at Strayill.
- Patrick Kelly of Illis, for not making 30 perches, 100 pines, on road from Buncrana to <sup>at Drom</sup>
- Charles Kearney of Drumadocoy, for road from Derry to Buncrana, contracts entered into at Summer Assizes 1850.
- William Boyle of Connaught Kinnege, for road from Buncrana to the sea at <sup>at Drom</sup>
- James Doherty of Gortshock, for road from Buncrana to the sea
- Thomas Lynch of Colpy, for not making 150 perches, 100 pines, on road from Buncrana to <sup>at Drom</sup>
- Thomas Lynch of Colpy, for road from Buncrana to <sup>at Drom</sup>
- Denis Lynch of Ballycannon, for road from Buncrana to the sea at Dunglew.
- James Rankin of Strabo, for road from Buncrana to the sea at White Bay
- William Campbell of Money, for not building a flagged pipe on road from Letterkenny to <sup>at Drom</sup>
- Patrick Doherty of Connaught Kinnege, for not repairing a Bridge on road from Buncrana to <sup>at Drom</sup> Moville. Contracts entered into at Spring Assizes 1851.

On 1<sup>st</sup> of Novr. 1851.

- William Dunagan of Carrickasheen for not building a pipe on road from Carnadonagh to Moville.
- Michael Donnell of Creganahona for road from Carnadonagh to Buncrana. Contracts entered at Spring Assizes 1850.
- John Doherty of Glenties, for not building a Bridge on road from Buncrana to the sea at Chellagh.
- Charles Friel of Ballyparry, for not building walls to protect a Bridge on road from Carnadonagh to Buncrana.
- Thomas McDavid of Athshane for not building a pipe on Mail road from Dingleys point to Malin.
- Neal Nelson of Carnadonagh, for not repairing a Bridge on road from Ballycove to Dingleys point.

Edward Timony of Nughnacree for not repairing a Bridge on road  
from Ballymore to Donegal, Contracts entered into, at Spring  
Assizes 1857.

*Wm. B. and fellows.*

*Copy for  
res. High  
Constable  
J. Macmillan*  
The Grand Jury perceive that the arrears arising in the collection  
of County Cess, through the different Baronies are increasing considerably  
and that some very decided steps are necessary to be taken to  
ascertain and to prevent the continuance of what leads to so many  
very serious evils; Committees are therefore appointed to enquire  
into the accounts of every Barony and the Secretary to the Grand  
Jury has received orders to take immediate proceedings, against  
Baronial Constables, when the Committees see cause to require  
such rigour - meanwhile the Grand Jury see a great obstruction  
to the easy collection of the County Cess in the time lost in preparing  
the appraisments, which should never be delayed beyond the conduct  
of Assizes to the day when they are brought before the Magistrate  
to be sworn to, than 10 days, and when the delay does take  
place, the Law directs severe penalties, recoverable by any person  
suing for the same, which the Grand Jury will take care shall be  
sued for if necessary -

*Wm. B. and fellows.*

*Copy for  
Sherriff*  
Resolved - That the sub-sheriff be instructed to employ any  
money in his hands levied under Decree, to be appropriated in  
the first instance to pay Mr Barrett his costs, and out of any  
surplus from time to time in his hands, he be at liberty to pay  
any expenses of Bailiffs or otherwise which he may incur  
in the copying of Decrees -

*Wm. B. and fellows.*

To His Excellency the Earl of Clarendon Lord Lieutenant  
General and General Governor of Ireland

The Memorial of the Grand Jury of the County of Donegal  
assembled at Summer Assizes 1857 -

Shumbly sheweth

That the great extent of this County renders it impossible that one  
County Surveyor can discharge the duties required of him in an  
efficient manner -

That having taken this into consideration at these Assizes the  
Grand Jury have come to the determination that it would be for  
the Public benefit to divide it into two Districts and that an  
additional County Surveyor be appointed -

That the Division of the County into two Districts be as follows  
viz - The Baronies of Kilmacranon the half Baronies of East and  
West Erriskenan, and that part of the Barony of Raphoe comprising  
the Parishes of Bloneigh, Taughboyne, All Saints, Killea,  
Raymoghey, Leck, Camwal and Raphoe, shall form one District  
and shall be called the North District, and the remaining part  
of the County shall form the other, and be called the South District

*It is to be observed that the salary of each such County Surveyor may be appointed.*  
That the salary of each such County Surveyor has been  
fixed at Three Hundred Pounds per annum with Fifty Pounds  
per annum for the expense of their several Offices -

Memorialists therefore submit the above to  
your Excellency and Pray that your  
Excellency will have same carried into effect -

And Memorialists will pray -

*Wm. B. and fellows.*

Francis Mansfield Esqr. }  
 James Hamilton Esqr. }  
 Same agst. }  
 John Scarlett Esqr. }  
 Same agst. }  
 Robert Mansfield Esqr. }  
 Same agst. }  
 Robert Mitchell Esqr. }  
 Same agst. }  
 John O'Donnell Esqr. }


Ordered - That Samuel Spruce  
 Solicitor, Do furnish the costs  
 due to him in the several Causes  
 to the Plaintiff Francis Mansfield  
 Treasurer of the County, who shall  
 be at liberty to pay same and  
 charge same against the said  
 several Defendants, and  
 deduct from the sums lodged  
 to their credit the amount the


 and fees

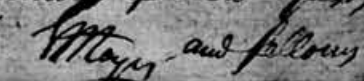
Ordered - Inasmuch as the duties of Inspectors of Weights and  
 Measures having in a great measure been transferred to the  
 Constabulary, those remaining duties can now be discharged  
 by a person appointed at a small salary (viz of £20,  
 a year - This ordered that Mr. Ezekiel Tynd be  
 discharged from such Office, and that he hand over the  
 Standard Weights & Measures of the County with the Books  
 and papers connected with his Office to Sir James Stewart  
 Bart. as directed by the Grand Jury,

 and fellows

Spring Assizes 1852.

Ordered, That in future unless the Applications  
 for Presentments for Petty Sessions houses are brought  
 forward at the Assizes after the Return thereof have  
 become <sup>due</sup> the Grand Jury will not present such  
 Returns at a future Assize, unless it be shown  
 that the neglect of making such Application  
 has arisen from unavoidable Circumstances,  
 and fellows

Ordered - That in consequence of the inobedience that has  
 been granted by the Grand Jury for some years past,  
 to the several Baronial High Constables in <sup>not</sup> compelling  
 them to pay to the County Treasurer the full amount of  
 their Warrants at each assizes, the affairs of the County have  
 become involved in great difficulties and large balances  
 are outstanding - The Grand Jury feel it is indispensable  
 that the Law shall be strictly enforced, and therefore  
 find it to be their imperative duty to order, that each  
 High Constable should forthwith pay in to the Treasurer  
 the whole of the sums due on their accounts otherwise  
 immediate legal proceedings will be taken against  
 them and their securities - And the Secretary to the  
 Grand Jury is hereby ordered to take the necessary steps  
 for carrying out the above resolution, and proceed against  
 every High Constable that shall not have a certificate  
 given him by the County Treasurer before the 1<sup>st</sup> of  
 May next, that his account is settled -  
 and fellows

Ordered - That the Clerks shall bring to the Assizes the requisition for  
 their attendance at the several Inquests & that the age & residence of the  
 deceased when ascertainable be given in the Minutes of each Inquest  
 and fellows

County of Donegal  
 Spring Assizes 1852

To, The Foreman and Grand Jury  
 I Ezechiel B. Tydd Inspector  
 of Weights and Measures for said County  
 hereby resign my Appointment as such  
 Inspector, the Grand Jury paying my salary  
 due up to the present Assizes, -

Ezechiel B. Tydd

Lifford 8 March 1852

Accepted  
 May 12 Yellow

Resolved That the County Surveyor do apply at the next Parish  
 Sessions to be held for the Barony of Raphoe for repairs of the main  
 road from Derry to Sligo, between the bridges at Loughmore Church  
 the meeting between Carrickmacross & Carran, and that Robert O'Leary  
 the present Contractor be released from it after the next Assizes  
 at his own request. -

Accepted  
 May 12 Yellow

Resolved That proceedings at Law be instituted against the  
 following Contractors & their Securities for non performance of their  
 Contracts, Viz. -

- James Ewing of Ballycove, for road from Lifford to Milford, No. 158. -
- John McCaughrin of Killygordon, for not having repaired a Bridge on road from  
 Killygordon to Killybeggs No. 369. -  
 Contracts entered into at Spring Assizes 1850.
- John May of Loughmore, road from Ballybeg to Tintown, No. 216.
- Richard M. Awar of Priesttown, road from Corway to Loughkenleg No. 114  
 Contracts entered into at summer Assizes 1850, &
- John Conwell of Limisk, road from Corway to Loughkenleg, No. 114
- John Conwell of Limisk, road from Stranorlar to Lifford, No. 117
- Andrew M. Girty of Lifford, road from Killygordon to Lifford, No. 122  
 Contracts entered into at Spring Assizes 1851. -

- James Clarke of Ballymagowan, mail coach road from Donegal to Killybegs, No. 57.
- James Cassidy of Coolacally, mail coach road from Sligo to Derry, No. 54.
- Cornelius McJinty of Ardara, mail coach road from Sligo to Derry, No. 66.
- Abraham McJinty of Ardara, mail coach road from Sligo to Derry, No. 67

Contracts entered into at Summer Assizes 1851.

And that similar proceedings be taken against the following <sup>Contractors</sup> their  
 Securities should the works on the present Quays numbered as follows  
 not be completed on the day hereafter set forth viz. -

Barony of Baragh,

- No. 217. James Roberts of Meentullivigarran } To be completed on or before
  - 243. John Harkin of Crough, } 12<sup>th</sup> May 1852. -
  - 246. William McNeely of Rahans, }
  - 253. Andrew Cassidy of Ballymagowan }
  - 367. John Roberts of Ballinakillean, }
  - 376. Patrick Roberts of Bangough }
  - 375. John Gavahan of Seabarnan } 1<sup>st</sup> August 1852.
  - 377. Hugh Murrin of Stragor, }
  - 413. James Cunningham of Port }
  - 414. James Lorrain of Ardara }
  - 417. John Given of Tullinches }
  - 421. Charles Gallagher of Brackly }
  - 422. Charles Gallagher of Brackly }
  - 429. Hugh Murrin of Stragor }
  - 431. Patrick Mulreany of Killybegs }
  - 435. Hugh Sheelin of Augheyvagh }
  - 439. Charles Gallagher of Brackly } 7<sup>th</sup> April 1852.
  - 440. James Smith of Dromares }
  - 441. Hugh Maguire of Craunty } 15<sup>th</sup> May 1852.
- East Half Barony of Enniskewere -
- 577. Michael Roberts of Cloontagh }
  - 610. John M. Smith of Mountcounge } 1<sup>st</sup> May 1852
  - 628. Daniel McColgan Junr of Carrish }
  - 633. Thomas Sheils of Fahan }

East Half Barony of Errishowen

Works to be completed on or before 1<sup>st</sup> May 1852

- 644 Owen Diver of Glenties ✓ 693 Denis Mahon of Tummore
- 652 James M. Murray of Strausbridge ✓ 697 Daniel M. Colgan of Larnish
- 658 Stephen Butler of Liskingans ✓ 698 Patrick M. Farnon of Minahan
- 659 Joseph Campbell of Fornaught ✓ 706 Charles Nelson of Farnonagh
- 663 Thomas M. Dowd of Altashane ✓ 714 Owen Doherty of Bognahisna
- 665 John M. Devitt of Mountcourage ✓ 715 George Elkin of Carnagariff

West Half Barony of Errishowen - Works to be completed on or before 1<sup>st</sup> May 1852

- 748 Samuel Ferguson of Craigtown ✓ 850 John M. Devitt of Drumadosey
- 761 Samuel Ferguson of Craigtown ✓ 851 Hugh M. Laughlin of Crijlaughkeel
- 799 John M. Dowd of Drumadosey ✓ 857 James O'Brien of Toobin
- 806 Richard Kelly of Inishtown ✓ 867 John Adcock of Carnamoy
- 814 John M. Dowd of Drumadosey ✓ 871 Bernard Doherty of Glacknabola
- 815 Samuel Gilliland of Boneman ✓ 872 Bernard Doherty of Glacknabola
- 815 Charles Kersey of Drumadosey ✓ 889 William M. Colgan of Ekeahan
- 847 William M. Nutt of Burnfoot ✓ 874 William Doherty of Toobin

Barony of Kilmacrenan - Works to be completed on or before 1<sup>st</sup> May 1852

- 914 Daniel Gibson of Drumfad ✓
- 918 William Matson of Loughkeel ✓
- 898 Henry M. Monagle of Trimmaght ✓
- 903 John Thornton of Killybeg ✓
- 908 James Jones of Cruckraun ✓
- 916 Thomas Irvine of Falcarragh ✓
- 959 Dominick McFride of Maffinagh ✓
- 993 Daniel M. Dowd of Letterkenny ✓
- 1018 Hugh Goll of Corland ✓
- 1049 Hugh Goll of Corland ✓
- 1033 John Doherty of Mahon adoker ✓
- 1035 James Aving of Ballygare ✓
- 1037 Patrick Tier of Aughmagabby ✓
- 1038 Neal Ferry of Liskerden ✓
- 1046 James Gallagher of Ballynagh ✓
- 1048 Robert Grier of Dunfanaghy ✓
- 1051 Hugh Griffin of Kinacarragh ✓
- 1052 Charles McKinn of Kinacarragh ✓
- 1056 Thomas Irvine of Falcarragh ✓
- 1058 Thomas Irvine of Falcarragh ✓
- 1061 Bryan Runday of Drumadosey ✓
- 1067 John Manning of Clondallons ✓
- 1068 Daniel M. Blawie of Grovethall ✓
- 1071 Daniel M. Monagle of Gortanure ✓
- 1070 Roger M. Blawie of Grovethall ✓
- 1099 James M. Spinkley of Meenacum ✓
- 1107 William M. Brown of Stackernagh ✓
- 1108 Pat. M. Spinkley of Glenkeragh ✓
- 1112 Pat. M. Spinkley of Glenkeragh ✓
- 1115 Neal O'Donnell of Jeal ✓
- 1116 Neal O'Donnell of Jeal ✓
- 1117 Edward O'Donnell of Jeal ✓
- 1118 Edward O'Donnell of Jeal ✓
- 1126 George Toner of Cruckraun ✓
- 1131 John Wilkinson of Creevaugh ✓
- 1137 George Gallagher of Falcarragh ✓
- 1139 James Irvine of Dunfanaghy ✓
- 1140 Edward M. Ghee of Ballycumbell ✓
- 1144 Hugh M. Devitt of Corshan ✓
- 1146 Patrick O'Donnell of Meenacum ✓
- 1205 Bryan Friel of Drumadosey ✓
- 1212 James Gallagher of Stator ✓
- 1215 Michael Gallagher of Doughterly ✓
- 1218 Patrick Boyle of Sullygry ✓
- 1265 Edward Gallagher of Falcarragh ✓
- 1266 John Boyle of Falcarragh ✓
- 1268 William Brown of Loughgannon ✓
- 1275 James Campbell of Falcarragh ✓
- 1281 Thomas Jones of Kilmacrenan ✓
- 1284 John Ferry of Inniskil ✓
- 1287 James Ferry of Kinacarragh ✓
- 1289 John Gallagher of Meenacum ✓
- 1294 Pat. Gallagher of Meenacum ✓
- 1297 Daniel Gallagher of Falcarragh ✓
- 1306 William Matson of Loughkeel ✓
- 1310 James M. Dowd of Stackernagh ✓
- 1325 Daniel M. Dowd of Stackernagh ✓
- 1326 John M. Spinkley of Letterkenny ✓
- 1327 Cornelius M. Dowd of Sullygry ✓
- 1341 James Rodden of Furrin ✓
- 1348 John Wilkinson of Falcarragh ✓
- 1350 Daniel Kelly of Maffinagh ✓
- 1353 Anthony M. Spinkley of Stackernagh ✓

Barony of Raphoe - Works to be completed on or before 1<sup>st</sup> May 1852.

- Robert Walker of Drain ✓
- James Gallagher Kirkneady ✓
- Gilly Murray of Drumcarnet ✓
- James Rutherford of Monagle ✓
- Denis Doherty of Galdonagh ✓
- John Lynch of Ballyboe ✓
- Charles Doherty of Dufford Common ✓
- Charles Doherty of Dufford Common ✓
- James Hamilton of Ince ✓
- John Hagan of Common ✓
- Daniel M. Monagan of Letterkeag ✓
- John M. Duley of Drumatolan ✓
- James Scott of White Hill ✓
- George Irvine of Garshuey ✓
- Hugh Rogan of Mountclink ✓
- William Boyle of Bellehan ✓
- Andrew Doherty of Creeve ✓
- John Diver of Siskingony ✓
- John Lynch of Carnahenagh ✓
- 1821 William M. Clements of Liscial ✓
- 1822 James M. Monagan of Galdonagh ✓
- 1826 Charles M. Monagan of Fildrum ✓
- 1848 Barney M. Collem of Beigh ✓
- 1849 Samuel M. Clontock of Liscial ✓
- 1878 Denis Sweeney of Castleboe ✓
- 1897 Thomas Walker of Drain ✓
- 1909 James Hamilton of Ince ✓
- 1916 Robert Olyphant of Gramesland ✓
- 1587 Patrick Tatton of Kirkneady ✓
- 1641 Peter Laner of Crossack ✓
- 1617 Richard Gallagher of Castlefin ✓
- 1625 John M. Monagan of Gorgary ✓
- 1626 John M. Monagan of Gorgary ✓
- 1908 John Gallagher of Meenacum ✓
- 1911 John Monagan of Carnahenagh ✓
- 1912 Mark M. Cafferty of Tusk ✓
- 1913 Patrick M. Goherty of Meenacum ✓

- 1396 Charles M. Namee of Drabatt ✓ - 13<sup>th</sup> April 1852
- 1397 Patrick Reid of Lettermore ✓
- 1611 John Brown of Bark ✓
- 1613 John Brown of Bark ✓
- 1624 Henry Taylor of Kilmacrenan ✓
- 1430 Melia Duff of Aret ✓
- 1538 Andrew Keiper of Dunwiley ✓
- 1582 James O'Flaherty of Glady ✓
- 1706 Alexander Stevenson of Killygordon ✓
- 1744 John Carroll of Bonefrin ✓
- 1768 George Doherty of Meenglas ✓
- 1790 James Irvine of Drumadosey ✓
- 1818 Neal M. Kelly of Colmestown ✓
- 1819 Neal M. Kelly of Colmestown ✓
- 1852 Daniel M. Kelly of Keshyhill ✓
- 1854 Thomas M. Cormack of Ballyarl ✓
- 1856 Thomas M. Cormack of Ballyarl ✓
- 1860 Mick M. Laughlin of Sult ✓
- 1861 Robert Olyphant of Gramesland ✓
- 1862 Robert Olyphant of Gramesland ✓
- 1863 Robert Olyphant of Gramesland ✓
- 1433 James Aile of Bunaghamon ✓
- 1905 Michael Gallagher of Galvolly ✓
- 1906 Michael Gallagher of Galvolly ✓
- 1907 Charles Gauckin of Ballybofe ✓
- 1915 John M. Gready of Corraghamon ✓
- 1919 Michael Curly of Sobbish ✓
- 1920 Bryan Ward of Ballybofe ✓

To be completed on or before -

21<sup>st</sup> April 1852.

10<sup>th</sup> May 1852.

1<sup>st</sup> April 1852.

15<sup>th</sup> May 1852.



Barony of Raphoe, continued

- 1471 James Black of Magheranappin } 21<sup>st</sup> May 1852 -  
 1522 Hugh Begarty of Bolograe }  
 1600 Daniel Scudlon of Cargnalarkein } 1<sup>st</sup> April 1852 -  
 1618 Daniel Gallagher of Galwolly } 26<sup>th</sup> April 1852 -  
 1695 Michael Gallagher of Galwolly }  
 1635 Daniel M. Menamin of Barlaim } 13<sup>th</sup> May 1852 -  
 1642 Bryan Ward of Ballybofey }  
 1643 Bryan Ward of Ballybofey } 29<sup>th</sup> April 1852 -  
 1813 Edward Mollan of Raresagh }  
 1795 James Knee of Godletra } 18<sup>th</sup> April 1852 -

Barony of Tyrnagh - works to be completed on or before

- 1995 Arthur Johnston of Milltown }  
 2158 Anthony Martin of Sully } 14<sup>th</sup> April 1852 -  
 2042 Dan. Gallagher of Sullyhark }  
 2045 Terence Kerrigan of Rathglafs }  
 2046 David M. Feters of Bavanagarden } 1<sup>st</sup> May 1852 -  
 2141 James Johnston of Maghericar }  
 2145 James Johnston of Maghericar }  
 1944 Terence Kerrigan of Rathglafs }  
 2127 Pat Gilverty of Maghericar } 10<sup>th</sup> April 1852 -  
 2164 Johnston M. Hugh of Lurganboy } 3<sup>rd</sup> May 1852 -  
 2183 William Shaw of Rossgoal } 1<sup>st</sup> April 1852 -  
 2187 George Strong of Rossnowlough }  
 2190 Alexander Vance of Dromore } 7<sup>th</sup> April 1852 -  
 2188 Michael Lunny of Sullymore }  
 2200 Daniel Gallagher of Sullyhark }  
 2201 Daniel Gallagher of Sullyhark } 5<sup>th</sup> May 1852 -  
 2202 Henry Gallagher of Legnanormagh }  
 2207 John Quin of Terralillue }  
 2199 Richard Freeborn of Lisminton } 7<sup>th</sup> May 1852 -

Ordered - That the sub. Sheriff be instructed to employ any money in his hands levied under Decrees to be appropriated from time to time to pay Mr Barrett his costs and out of any surplus in his hands he be at liberty to pay any expenses of Bailiffs or otherwise which he may incur in the levying of Decrees.

Attys & fellows.

Ordered That Mr. Smyth Surveyor for the North District of this County be permitted to reside for the future in Rathmelton instead of Letterkenny.

Attys & fellows.

Ordered - That in future both the County Surveyors shall keep an accurate Journal showing the work done by them each day the number of miles travelled & the work inspected, and that these Journals be produced before the Grand Jury on the first day of each Quarter.

Attys & fellows.

Resolved - That a sum not exceeding £50 shall be placed at the disposal of the Board of Superintendence to be expended in painting & repairing the Grand Jury room and the rooms in the County House and they are requested to have the work executed previous to the next Quarter.

Attys & fellows.

Resolved - That the High Constable of the Barony of Tilmacranan having refused to produce his account as directed by the Committee there is now no alternative left but to take immediate proceedings against him and his Sureties, and that the Secretary to the Grand Jury be directed to proceed forthwith.

Attys & fellows.

Ordered - That the two sums of £91.5.1 and £92.19.9 heretofore presented to William Black late High Constable of the Barony of Tilmacranan and which are on the Treasurers Books for payment be further withheld in consequence of the balance on foot of his account not having been paid off.

Attys & fellows.

Ordered That execution be forthwith issued to Sheriff, lately James Hamilton & his Sureties for the sum due on foot of the proceedings already taken against him, & the like against O'Donnell & his Sureties.

Attys & fellows.

Whereas by an Act of Parliament passed in the 1st & 2nd years of present Reign intituled "An Act for draining & Embanking certain Lands in Lough Swilly & Lough Foyle in the Counties of Londonderry and Londonderry" And Whereas for the purposes of said Act Sir Sproule Junior Esq<sup>r</sup> James Groswood Esq<sup>r</sup> Andrew Frymson Esq<sup>r</sup> Johnston Esq<sup>r</sup> Charles Norman Esq<sup>r</sup> and James Colhoun Esq<sup>r</sup> were appointed a Board of Commissioners to be called "the Lough Foyle Board of Commissioners," And Whereas said Act also provided that in case any of said Commissioners thereby appointed or hereafter to be appointed should die, or neglect, or refuse, or become incapable to act, it should be lawful for the Grand Jury of the County of Londonderry such vacancy should occur in the said Lough Swilly Commission and they are thereby authorized & directed from time to time to nominate & appoint such other person not being interested in the premises as to them should seem proper instead of the Commissioner so dying, or neglecting, or refusing, or becoming incapable to act as aforesaid. And Whereas the said Charles Norman one of said Commissioners has since died.

Now We the Grand Jury of the County of Londonderry assembled at Spring Assizes 1852, do hereby nominate and appoint Sir James Stewart Baronet pursuant to the power by said Act vested in us to perform & discharge the duties of a Commissioner for the purposes of said Act instead of the said Charles Norman so dead as aforesaid.

*Mays and fellows*

Ordered That a sum of £4000 shall be presented to Samuel Rankin Esq<sup>r</sup> of Ternaleague at night for the Special Survey at Carrindrough for the East Half Barony of Carrishow to be put into proper repair, and that a presentment shall be made at the next Summer Assizes.

*Mays and fellows*

Ordered That the Barony of Kilmacrenan be divided into the following Districts for the purpose of appointing collectors for County cess - And that the County Treasurer be directed to advertise for collectors, applications for whom naming two securities will be considered as better than one on Monday the 12<sup>th</sup> day of April 1852 -

- 1) Aughanunohin } N. & Garton and  
Aughnisk and } Corwal  
Tullyfern } . 5 Raymunderlong  
2) Kilmacrenan and } Sullaghobegly &  
Meeragh } Clondahorky
- 3) Clondawadock &  
Killygarvan }

*Mays & fellows*

The following Protest was entered into at last Assizes, but by some oversight was not entered into the Books of said Assizes. We the undersigned Members protest against the decision come to by a Majority of the Grand Jury to apply to his Excellency the Lord Lieutenant to have our County Divided and a second Surveyor appointed for the following reasons -

- 1<sup>st</sup> That no previous notice or the slightest intimation having been given of such application being intended or have not had any time to consider of its propriety.
- 2<sup>nd</sup> That on a just view of it we see no necessity whatsoever for the measure ~~we see~~ that under the present arrangement our County roads have been considerably improved and if not as perfectly as they might have been, such defect has been more owing to our embarrasments than to any want of an additional County Surveyor -
- 3<sup>rd</sup> That while our arrears of County Cess exceed the sum of £17,000 and while but with one exception proceedings

(hang)

hang over all our Baronial Constables, we consider  
time we chose to add permanently to our county expenses  
and the more particularly so when Petitions are lying  
upon our table from Road Contractors stating the  
difficulties they are placed in by the failure of our  
payments -

4<sup>th</sup> We Protest against the hurry in making application  
for a second County Surveyor because even if it were  
desirable to have one, we think that a permanent  
charge upon the County should have at least as much  
consideration as the smallest presentment which cannot  
be put forward unless sanctioned by the Magistrate  
and taxpayers at a road Session, and therefore  
while so many of the large landed proprietors of  
the County know nothing about it, should not be  
passed a vote of the Grand Jury when the Major  
is only 13 and the minority 7 -

Resolved That Sub Inspector Kirwan of Raphoe be appointed  
to take charge of the County Copies of the Imperial Weights and  
Measures, with the approval of the Inspector General of Constables

Mays and fellows

Ordered That the following sums on present Quers 1<sup>st</sup> 384 presented  
Gabrielle Hamilton & James Mowbray amounting to £174.5.0  
1<sup>st</sup> 536 Presented to John O'Donnell <sup>amounting to £22</sup> with held by the  
until John O'Donnell the late High Constable for Boyle  
has settled his account & paid all balance due by him on foot  
his Bonds

Mays and fellows

Ordered That the sum of £38.3.1 being the amount  
of Interest remaining in the County Bank to 31<sup>st</sup> July  
1837 be paid over to Mr Mansfield Treasurer  
of the County,

Mays and fellows

Summer Assizes 1852. 20 July 1852

Ordered ~ That the Treasurer do pay to Mary Boner of Churchtown the sum of £ 8. 13. 4 discharged to Patrick Boner of Churchtown at East Spring Assizes, 1851 & 1852 on Quires -

Wm. B. and fellow

Ordered ~ That the Salaries of the Assistant Surveyors be presented as heretofore upon the several Baronies to which they belong, but that they be presented upon the County at Large for these Assizes.

Wm. B. and fellow

Ordered ~ That the Board of Superintendence of the Jail be empowered to expend a sum not exceeding £ 20. in the repairs of the Roof and Gutter of the Court House at Buncrana in accordance with the plan & Specification of Mr. Smyth County Surveyor

Wm. B. and fellow

Ordered, That the Deceits obtained agst. Patrick Meighan of Tullintinan and Edward Timony of Aghnacree for non performance of Contracts entered into by them be not levied by the Sheriff, -

Wm. B. and fellow

Ordered ~ That the Assistant Surveyor for the North part of Raphoe Barony <sup>be directed to</sup> take charge for the future of that portion of the Parishes of Conwal & Raphoe in the North District in accordance with the Report of the County Surveyor of the South District.

Wm. B. and fellow

Ordered ~ That proceedings at Law be instituted against the following <sup>Contractors</sup> and their Sureties for non performance of their Contracts viz.

B. Edward O'Donnell of Glen, road from Milford to Feringait, 248.

B. Edward O'Donnell of Glen, road from Milford to Glen, 249.

B. John Wilkinson of Cresslough, road from Cresslough to Glen, 263.

Contracts entered into at Spring Assizes 1851. -

B. John Wilkinson of Cresslough, road from Cresslough to Coghreeds, 223.

Curigham Parkhill of Castles, road from Lifford to Buncrana, 243.

George Irvine of Gortshuey, farm & fanning built, a flagged pipe on road from Dowling ferry to W. Cunningham, 288. - Contracts entered into at Summer Assizes 1851. -

And that similar proceedings be taken against the following Contractors and their Sureties should the works on the present Quires numbered as follows, not be completed on the days hereafter set forth viz.

Works to be completed on or before 20th September 1852.

227 Andrew Crawford of Malinbeg ✓ 291 James McGrovy of Tullynahain

228 Thomas Gortley of Langan ✓ 309 John Given of Sullinka B

231 Michael Griffith of Berawhill ✓ 316 Michael Kennedy of Meenear

237 Andrew Cassidy of Ballymagowan ✓ 328 Patrick Conaghan of Drumuff

238 John Liberty of Ballynakelan ✓ 330 & 331 James Davison of Ardara

239 & 240 James Magrath of Tubrichev ✓ 332 James Aiel of Keelogs ✓

243 Francis Ward of Carrick ✓ 343 Denis Gara of Meenear

244 Matthew Boyd of Aghensy ✓ 353 Pat. McEunjan of Strabie

246 August Haridan of Meentullymagowan ✓ 379 & 380 Hugh Scarley of Drummond

252 Bryant Kerr of Drumgorman ✓ Works to be completed on 1st October 1852 -

253 Andrew Cassidy of Carraduff ✓ 418 William Campbell of Bolin Glen

258 John Gavahan of Bradamnan ✓ 419 James Doherty of Buncrana

263 & 264 Pat Meighan of Tullintinan ✓ 422 John Gortley of Langan

270 Pat. McQuilly of Malinbeg ✓ 424 Hugh Murrin of Stragoo

279 John Liberty of Ballinacree ✓ 425 Pat. McQuilly of Malinbeg

Barony of Baragh

Barony of Baylagh.

No. 514. John M<sup>r</sup>. Guehan of Menmore. to be completed on or before 20<sup>th</sup> Sept  
East Half Barony of Errishowen.

Works to be completed on or before 1<sup>st</sup> Sept<sup>r</sup> 1852.

613. George Elkin of Carnagriff. 666 John Doherty of Temple  
614 John Maohan of Coiryhoney 668 John Lynch of Mulltown  
638 John Long of Dunroff 669 Michael M<sup>r</sup>. Dermott of Drum  
653 John M<sup>r</sup>. Dwyer of Mountscombe 670 Roddy M<sup>r</sup>. Corvistan of do  
657 & 658 John Smith of Buldaff 671 do

Works to be completed on or before 1<sup>st</sup> Oct<sup>r</sup> 1852.

- 459 & 459 Michael Bramsley J<sup>r</sup>. of Ballilahan 661 & 680 Michael Bramsley J<sup>r</sup>. of Ballilahan  
661 Patrick M<sup>r</sup>. Barron of Minahan 663 Philip Doherty of Ballilahan  
664 Michael Bramsley J<sup>r</sup>. of Ballilahan 667 Owen Kearney of Liernaleck  
667 Patrick M<sup>r</sup>. Barron of Minahan 673 George Nelson of Altishan  
650 Daniel M<sup>r</sup>. Dade J<sup>r</sup>. of Altishan 742 Charles M<sup>r</sup>. Dermott of Glas  
742 Charles Doherty of Bloonagh to be completed 1<sup>st</sup> Nov<sup>r</sup> 1852

West Half Barony of Errishowen

- 839 William Dwyer of Toobin } Works to be completed on  
901 Robert Ramsey of Castlequarter } or before 1<sup>st</sup> Oct<sup>r</sup> 1852

Barony of themacrenan

Works to be completed on or before 1<sup>st</sup> Oct<sup>r</sup> 1852

- 928 William Watson of Doughtkil. 1150 Anthony Murray of Curriem  
1017 Cornelius M<sup>r</sup>. Guehan of Ramulton 1151 John M<sup>r</sup>. Grever of Ganyhany  
1023 William M<sup>r</sup>. Kinley of Purt 1175 James Gallagher of Moler  
1062 Da<sup>r</sup>. Gallagher of Stramore 1181 James Gallagher of Stramore  
1073 James Boyle of Cararosey 1224 Charles O'Donnell of Sunlooy  
1104 & 1107 Peter Coel of Drumnacary 1239 Tho<sup>s</sup> Nelson of Magheradrum  
1123 Daniel Kenan of Terranstown 1250 Charles Boyle of Cofseth  
1134 & 1136 Hugh M<sup>r</sup>. Gue of Balliconnell 1257 Francis Mackin of Dor

Barony of Tyrhugh

- 1212 Michael Cunny of Tullymore } To be completed on or  
1216 Robert White of Ballykillone } before 20<sup>th</sup> Sept<sup>r</sup> 1852  
1217 Dan Gallagher of Tullyhugh  
1220 Terence Fenigan of Patnason } To be completed on or before  
1226 Pat. M<sup>r</sup>. Andrew of Drumacrin } 1<sup>st</sup> October 1852

Barony of Raphoe

- 1557 William Flanigan of Fern } To be completed on or  
1894 Thomas M<sup>r</sup>. Daid of Chaloffort } before 1<sup>st</sup> Sept<sup>r</sup> 1852  
1630 Denis M<sup>r</sup>. Menamin of Letterleague } To be completed on  
1994 Charles M<sup>r</sup>. Kenma of Lettermakenny } or before 1<sup>st</sup> Oct<sup>r</sup> 1852  
1808 William M<sup>r</sup>. Cready of Castruse  
1576 Samuel M<sup>r</sup>. Clintock of Lurgy  
1713 Nathaniel Caird of Doobacca  
1732 Samuel M<sup>r</sup>. Clintock of Lurgy  
1755 Neal Brown of Daimnagh  
1889 & 1890 William M<sup>r</sup>. Dougal J<sup>r</sup>. of Kiarlog

To be completed on or before 1<sup>st</sup> Nov<sup>r</sup> 1852

M<sup>r</sup>. B and fellows.

To the Grand Jury of the County of Donegal at Dufford July 21<sup>st</sup> 1852.

Gentlemen,

The amount due by me to the County as late Collector for the Barony of Raphoe appears to be £189. 8. 1 which I propose to pay in four equal instalments of six months each from this date, say £47. 7. 0<sup>1</sup>/<sub>4</sub> in each successive half year, the first half yearly instalment to be made on 20<sup>th</sup> January next, and in default of the regular payment of any of such instalments the whole sum then due to be sued for and the security which I entered into to the Treasurer not to be invalidated, but to be and remain as a security for the above sum until the same shall be liquidated by the payment of said instalments.

Subscribed

Robert Mansfield

M<sup>r</sup>. B and fellows

By the Grand Jury of the  
County of Donegal

County of Donegal }  
to wit

We the Grand Jury of the County  
of Donegal assembled at

*copy of the  
forwinded  
Mr Stewart  
on 20 Augt  
1852*  
Lifford Summer assizes 1852 do hereby under  
the provisions of an Act of Parliament passed  
in the 15<sup>th</sup> & 16<sup>th</sup> years of the Reign of Her  
present Majesty Intituled "The Londonderry  
Bridge Act 1852" and the powers thereby  
vested in us Appoint James Johnston Esqr  
of Woodlands in this County being a person  
duly qualified in that respect to be one of  
the Commissioners for carrying into execution  
the provisions of the said Act for the three  
years next ensuing the date of this Appoint-  
ment and until his Successor shall be  
appointed — Dated this 20<sup>th</sup> day of  
July 1852.

*Wm Stewart* } and fellows

Ordered That Patrick McQuinn be discharged  
from the Office of Assistant Surveyor for the West  
Half Barony of Embishowen, and that he be directed  
to deliver up all Books and documents, connected with  
his Office to Mr Smyth Surveyor for the North District

*Wm Stewart* and fellows,

Ordered That the sum of £20.6.8 being the amount of Arrears  
remaining in the County Bank on 31<sup>st</sup> July 1852 be  
paid over to Francis Mansfield Treasurer of the County  
*Wm Stewart* and fellows

Spring Assizes 1853.

*Copied for Treasurer*  
Ordered That the Treasurer do pay to J. Green of Crillyport the sum of £1.13.4 discharged at last Assizes to Thomas M. Gormick of Ballyane at No. 1642 on Queries, it having been certified by the Assistant Surveyor that J. Green was the person who did the work  
J. M. J. and fellows

Barony of Raphoe  
Spring Assizes 1853 No. 66

Ordered That inasmuch as Nathaniel Laird the Contractor for this work has gone out of this County for America, and Martin Laird one of his Sureties is about to emigrate immediately and Brian Shields the other Surety has applied to the Grand Jury that the said Contract shall be rescinded being unable to perform the work the Grand Jury have consented thereto, and the said Contract is hereby rescinded from these Assizes.  
J. M. J. and fellows.

*Copied for Mr. Harte*  
Ordered That as James Kennedy late Assistant Surveyor having resigned at last Assizes, the sum presented for his half years Salary, shall be discharged payable to Mr. Harte the County Surveyor &c. To pay thereout the Expenses incurred by Andrew Pinnmore in attending to the business in Kennedy's District

J. M. J. and fellows.

*Copied for Treasurer*  
Ordered That the sum of £13.11.1 presented at Summer Assizes 1852 to the Rev. Charles Seymour and No. 1524 on present Queries, be now discharged and made payable to Thomas Brooke Esquire.

J. M. J. and fellows.

Ordered That the Treasurer do pay to Charles Porter of Tully the sum of £23, discharged to Alexander Porter of Ballyane (deceased) at Summer Assizes 1848, at No. 1828 on Queries of said Assizes.

J. M. J. and fellows.

Ordered That the following sum on present Queries be with held by the Treasurer until John O'Donnell late High Constable for the Barony of Boyleagh has settled his accounts & paid all balances due by him on foot of his Bonds, vizt. No. 236, £174.5.0 presented to Governor Hamilton & James Macaulay on present Queries, & No. 507, £41.5.8 on Queries of Summer Assizes 1850, be also with held.

J. M. J. and fellows.

*Copied for Treasurer*  
Ordered That Mr. Arager the County Surveyor for the north division of the County, do appoint an Assistant Surveyor for the west half Barony of Errishowen it being found that the Assistant Surveyor of the East half Barony is unable to discharge the work of both Half Baronies.

J. M. J. and fellows.

Ordered that proceedings at law be instituted against the following Contractors & their Sureties for non performance of their contracts vizt:—

- B. Daniel McTade Junr. of Altastane, road from Currowragh to Buncrana,  
 ✓ David M. Laughlin Junr. of Drumaville, road from Currowragh to Liffelagh  
 ✓ William Campbell, of Money, road from Buncrana to Letterkenny  
~~William Campbell of Money, road from Buncrana to Letterkenny~~  
 ✓ Edward Tokaty, of Conaghtkinego, road from Buncrana to Carris,  
 ✓ Patrick Tokaty, of Conaghtkinego, road from Buncrana to Carris,  
 ✓ Patrick Tokaty, of Conaghtkinego, road from Buncrana to Dunree,  
 B. William Dugley, of Tolin, road from Tolin to Buncrana,  
 Contract entered into at Summer Assizes, 1851—

- ✓ Owen Tokaty of Templecayle, road from Malintown to Moville, 96.  
 ✓ Owen Tokaty of Templecayle, road from Malin to Moville, 97.  
 ✓ George Hegarty of Shrove, road from Quarry at Moville to Moville Quay,  
 ✓ Charles Nelson of Farnough, road from Carris to the sea at Drung, 13.  
 B. John Tokaty of Templecayle, road from Malintown to Guldaff,  
 ✓ Patrick Tokaty of Conaghtkinego, road from Buncrana to Moville, 81.  
 ✓ James Gile of Prosperstown, road from the sea at Buncrana to the sea at  
 ✓ William M. Laughlin of Lealkane, road from Londonderry to Buncrana  
 ✓ William Campbell of Money, road from Buncrana to Letterkenny,  
 ✓ Charles Hegarty of Easterlin, road from the sea at Castlebar to Buncrana  
 ✓ James Sweeney of Millifarm, road from Derry to Moville,

Contracts entered into at Spring Assizes, 1852—

Ordered that similar proceedings be taken against the following Contractors & their Sureties should the works on the present Quays numbered as follows not be completed on the day hereafter set forth vizt:—

Barony of Baragh,

Works to be completed on or before 1<sup>st</sup> April 1853.

- No. 251 Bryan Byrne of Meenabrock 284 Patrick Mulreany of Killybegs  
 283 Patrick Mulreany of Killybegs 380 Hugh Murrin of Straghan

Barony of Baragh Contd,  
 Works to be completed on or before 4<sup>th</sup> April 1853

- 258 Andrew Crawford of Malinmore 299 Pat McGinley of Malinmore  
 298 Pat McGinley of Malinmore 394 Charles McGinley of Meenanecry,  
 383 Pat Meighan of Tullintinn, ~ Jobs completed on or before 6 April 1853.  
 252 Bryant Boyle of Meantimackin " " 8<sup>th</sup> " "

Works to be completed on or before 11<sup>th</sup> April 1853.

- 259 Patrick Danell of Goland, 360 Pat Gillespie of Ballydavitt beg,  
 279 Daniel Kelly of Ballydavitt beg, 361 Henry Gallenagh of Drumack,  
 358 Francis Flood of Manay,  
 359 Pat Gillespie of Ballydavitt 378 Edward Mulhern of Newtown,

East Half Barony of Errishanery.

Works to be completed on the days appointed in the Public Orders of Spring Assizes, 1853.

- 768 Neal McLaughlin of Ballyleskey, 783 John Smith of Cilduff  
 770 Bryan McLaughlin of Ballyleskey, 786, Same person,  
 773 Charles McTely of Carranacly 788, Same person.

West Half Barony of Errishanery.

- 923 David Black of Ceyhal } Works to be completed on the days appointed  
 930 James Tokaty of Gransham } in the Public Orders of Spring Assizes, 1853.  
 937 Neal Morris of Tur

Barony of Raphoe,

- 1790, Bryant Bond of Ballybooy, Works to be completed on or before 7 May 1853.  
 1775, 1776, 2022, John Macklin of Carrickshandrim, Jobs completed on or before 14<sup>th</sup> May

Barony of Tyrhugh

- 2241, John Gold of Ballybooy, Work to be completed on or before 12<sup>th</sup> June 1853.  
 2272, Richard M. Edwards of Cughnaha " " 2<sup>nd</sup> May 1853.

Yours truly,  
 J. Smith Clerk

Ordered, That unless Mr. Sevinny at or before the Presentment Expon, in May next does not pay over to the treasurer £2158-11-2 the sum due by him for County Rates, that immediate proceedings be taken against him and his securities for that amount, & all proceedings against Mr. Scarlett, Mr. Cochran, Mr. Lippin & others in arrears



Ordered, That the Treasurer be directed to take the necessary measures for the division of the Barony of Raphoe into districts, in the event of Mr Cochran the Present Collector not paying up his Balance to the Treasurer during this present Assizes

*Copies for Sir James Stewart*  
Resolved, That Sir James Stewart Bart. be requested to communicate with the County's circumstances, as the County is with respect to the new Lunatic Asylum, and also with the Members of the County suggesting to them the best mode of bringing the subject under the consideration of the Government

Hon<sup>ble</sup>ly & fellows

Ordered, That whenever the Margrifs of Abercorn & the Earl of Erne shall have paid to the Treasurer of the County the sums of Ten pounds each which they agreed to pay and contribute towards the building of the bridge over the River Swilly on the Mail Car road to Lettuberry for the building of which bridge Provisions were made at Spring Assizes 1851 The Treasurer shall pay over same to George McDermott the Contractor for <sup>said</sup> work to remunerate him for the extra work done by him & according to the original understanding with

Hon<sup>ble</sup>ly & fellows

Resolved, That Mr Stewart Esq. & Mr Johnston Esq. & Mr Sinclair & Mr Brooke Esqs.

be appointed a Committee to examine the state of the Bridge of Ballyshannon & to report to the Grand Jury at next Summer Assizes on the alleged encroachments made upon the Arches of the Bridge and its effect on the road, and in the event of their deciding that these encroachments should be abated, that they take the opinion of Counsel as to the best means of accomplishing that object.

Hon<sup>ble</sup>ly & fellows

Summer Assizes 1853

Ordered, That the most prompt and summary proceedings shall be immediately instituted against all and every of the Collectors of the County Cess who shall not on or before the last day of the Assizes pay into the hands of the County Treasurer all the sums mentioned in his several warrants to them.

Looking to the necessity that exists for preventing the increase again of the Undischarged Queries and the neglect of Contractors in carrying out their contracts within a reasonable time, it is ordered that Prosecutions be commenced without further reference to the Grand Jury in the following cases:

1<sup>st</sup> All contracts entered into at any Summer Assizes if not completed at next presentment session.

2<sup>nd</sup> All contracts entered into at Spring Assizes which the County Surveyor may consider necessary to have forthwith done, and not done at the usual date before next session on notice being served to that effect by the County Surveyor.

3<sup>rd</sup> All continuing contracts where the Contractor has neglected supplying the specified quantity of materials at the proper time of measurement & inspection.

4<sup>th</sup> All works appearing on the Queries after this Assize if not completed at the next date for measurement & inspection in the respective parishes.

And it is further ordered that should the Surveyor think necessary to delay the execution of any work or see otherwise good reason for doing so he may suspend the order for prosecution until next Assize.

*Wm. J. & fellows*

Ordered, That Robert O'Leahant having requested to be released from his contract N<sup>o</sup> on Barony of Raphoe, between Donaghmore Church & the County meaning at Glady Bridge, his request being complied with, and that he be paid all arrears up to Summer Assizes 1853, on his complying with Mr. Harte's <sup>written</sup> instructions.

Ordered that the sum payable to John Boyle do shall be made payable to the County Surveyor to be paid by him to John Boyle on the completion of his contract.

Report of the Committee appointed to inspect the Ballyshannon Bridge. *Wm. J. & fellows*

The undersigned, having been appointed a committee by the Grand Jury of the County of Donegal assembled at Lent Assizes 1853 to examine and enquire into the destructions reported by Mr. Harte the County Surveyor to have been caused by the erection of houses which fill up & obstruct the passage of the water through several arches of Ballyshannon Bridge:

Report. That we proceeded in company with Mr. Harte & Mr. Dinmore the Deputy Surveyor of the Barony on Friday the 10<sup>th</sup> of June & made a minute examination of the Bridge & the adjoining premises & subsequently took the evidence on oath which accompanies this report.

We found that archway No 1 through which it is probable that little or no water ever flowed except at the time of great floods was obstructed by the erection of the houses marked on the plan as "Wilson's House" on the upper side of the Bridge & by "Herrigans" (at a small distance from it) on the lower side of it. But we could obtain no

direct evidence as to the date when these Houses were built altho' the general impression appeared to be that it was about 50 years since.

We found that the House marked on the plan as "McDonagh's House" (Mr McDonagh being the present occupant of it) was built by Mr Conolly (the father of Mr Hamilton Conolly who has subsequently obstructed another arch) in or about the year 1825. This House completely obstructs arches 1 & 2 & the whole space of Archway No 1 is used as a Turf shed by Mr McDonagh & the whole space of Archway No 2 a Bake house by same the upper & lower sides of both those arches being built up for those purposes & a quantity of shingle collected to protect those encroachments; & it is perfectly clear to us both from our own examination & from the evidence we collected that the closing of those arches interferes with the discharge of the water at all times & very seriously so at the period of heavy floods when the fires in the ovens are extinguished & the premises have to be vacated.

We also found that in or about the year 1850, Mr Hamilton Conolly erected the House marked as "Conolly's House" on the plan, by which the entire vent of arch No 3 was closed the front walls of that House being actually built on the parapets & arches of the Bridge which thus forms a portion of the House.

Arches Nos 1, 2 & 3 having been thus appropriated, we found that Mr Hamilton Conolly to secure the stability of this bad erection which was a danger in the time of floods, has proceeded to appropriate a portion of arch No 4 by building a pier under it so as to divert the water from impinging upon the front of this House & to throw them on the other pier of this arch, thus still further diminishing the vent for the water & injuring the piers of the bridge & by fairly told as he was collecting stones from time to time with that view & adding them to it. And in examining

the outer pier of the arch it was quite evident that its foundation had been seriously undermined & injured & some large stones broken across owing to that cause.

And their effects are the more serious as it appears that the width of the bridge had been long since increased by an addition to these arches - the junction of the additional arch with the old being imperfect & therefore less able to bear against under & unequal pressure under this statement of incontrovertible facts it appears to us that it was the duty of the Public Officers of the County to have taken early steps to abate these nuisances & that having failed to obtain support for that purpose from the local Magistrate that this ought to have drawn their immediate attention (as Mr Stante has now done) of the Grand Jury to them, as the destruction of this bridge, which is now in an insecure state, would entail an expenditure on the County of at least £2,000 independent of the serious loss of stopping up so important an outlet of our County.

It is admitted by every one that the floods have been latterly greater than usual and as there is a difference of level of more than 2 feet in the water immediately above and below the bridge in the time of floods, it is clear that the presentment is inadequate as shown in the statement furnished by the County Surveyor which accompanies this Report, and this inadequacy must still further be increased by the more rapid accumulation of water in the river, from the improved drainage of the Counties of Cavan and Fermanagh in its outfall to the sea, & certainly demanding an increased & not a diminished vent through the bridge.

It would appear to us that the parties guilty of these encroachments cannot urge prescription as a bar to the abatement of those nuisances, as the bridges and roads of the County are the property of the Crown, & in the case of Mr Hamilton Conolly's house it is quite clear that no prescription could be maintained.

as it has been erected within 3 years, while it is at the same time the most palpable and injurious encroachment of them all and we are quite at a loss to see on what principle such a violation of Public property can be defended or maintained and we cannot see on similar grounds why the occupants of the Cause on the other side of the bridge might not possess themselves of 4 arches on that side of it by which the vent of the bridge could be diminished to less than one half of its original capacity & 8 out of 14 arches taken from the Public.

As to the most effectual mode of getting rid of these nuisances, we would recommend the Grand Jury to obtain the opinion of Counsel at the present assizes, through the Secretary of the Grand Jury, it is a matter of urgent and immediate necessity and it is important that the proceedings should be effectual, & that there should be no violation of the Law or breach of the peace.

We may however remark that it appears to us that as the entire of this bridge, arches, parapets & all is public property it is competent to the Grand Jury to remove any portion of them or anything attached to or upon them, and if the Grand Jury were to direct the removal of the walls now built upon and closing up these arches, the rush of water through them would now diminish the Houses obstructing its exit & thus redress the injury. We would also draw attention to the fact, that in the instance of Mr Hamilton Connolly he cannot plead ignorance as the Deputy Surveyor remonstrated with him at the time he was interfering with the property of the County & endeavoured without success to obtain the assistance of the local magistrates to prevent it.

We are of opinion that the Grand Jury ought to take immediate steps to repair the bridge & render it more secure,

W<sup>m</sup> Sinclair John Vandeleur Stewart  
The Proctor J. Johnston

ordered, that this Report be received and entered on the resolution Book  
of fellows  
Ordered that the opinion of Counsel be taken as to what measures should be taken to remove the nuisance forthwith

of fellows

Resolved, that with reference to the adjustment of the monies to be repaid to districts newly constituted as separate Sanitary Asylums (viz) those districts with which they were originally connected under the 9<sup>th</sup> & 11<sup>th</sup> of Vic. Chap. 115. — our County members be instructed to urge upon the immediate attention of the Government, the great injustice those districts are exposed to under that Act, in which no allowance is made for the deterioration of the structure of the original Buildings. & to insist upon the necessity of placing in the Privy Council the power of adjusting on equitable principles the payments to be made, and that in the event of the Gov<sup>t</sup> failing to carry out this by an immediate change in the Act, our members be instructed to bring the subject before the House of Commons, and introduce a measure on the subject themselves, and that they endeavour to secure the co-operation of the members for other Counties similarly circumstanced,

of fellows

Resolved, That the more extensive introduction of Railways into the County of Donegal, would be most advantageous, and that with a view to promote the same, the Grand Jury will be prepared to take into their favourable consideration, any proposals which may be submitted to them by Companies promoting such undertaking

of fellows

Ordered

That the Treasurer be directed by the Grand Jury to withhold payment of the sum of £106. 0. 5 presented at last Assizes as arrears due to John Scarlett until an investigation have been held by a committee appointed by Grand Jury to ascertain what portions of the sums claimed Scarlett had been actually paid to him or his subcollectors, and that all sums which appear to have been paid in error, are to be handed over to the committee by the Treasurer, to be by them repaid which persons shall have been wrongfully charged with them, and the balance remaining in the hands of the Treasurer after such deductions be payable to J. Scarlett or his securities.

Thos Brooke Esq. W. Wilson. W. Sinclair  
R. Russell, R. Hamilton. Geo. J. Welsh

*W. Wilson* & fellows

Similar order in the Barony of Kilmacrenan

Kilmacrenan Committee, Meetings to be held in Milford  
Lord G. A. Hill, John R. Boyd Esq. on the 28<sup>th</sup> July and Tamney  
John O. Stewart Esq., Thomas Watt Esq. the 5<sup>th</sup> of August at Church  
Wybrants Alphant Esq. Henry Lethin Esq. on the 11<sup>th</sup> of August  
James G. Wood Esq. John Chambers Esq.  
George C. G. Wray Esq.

*W. Wilson* & fellows

Ordered

That the foregoing resolution be applicable to the Barony of Tyrkburgh, and that the sum of £355. 17. 8 payable to Sir Hamilton as a Representation of money uncollected off P<sup>rs</sup> Barony, be retained by the Treasurer until all claims investigated, by the following Committee

James Hamilton, Geo. Hamilton. Thos. J. Atkinson, J. G. Todd  
W. Fredrick Charles Johnston. James Johnston.

*W. Wilson* & fellows

County Cess

~~The undersigned having been appointed by the Grand Jury a Committee to ascertain what sums have been claimed in error by John Scarlett as errors of Cess, Give notice that we will meet at Mountsherry at 12 o'clock on Friday August 5<sup>th</sup> from and at Killybegs at 11 o'clock on Saturday~~

Ordered, that the Treasurer shall charge against any Fees which may be payable to Mr. Sweeney, Barony High Constable of Kilmacrenan the sum of three pounds the expenses incurred in Printing Books necessary for the final settlement of Mr. Sweeney's accounts

*W. Wilson* & fellows

Resolved, that the committee appointed at last Assizes with respect to Ballyshannon Bridge be reappointed & requested to continue their proceedings & to act in accordance with the instructions to be given to them by Mr. Sproule, J. C. and that with a view to carry out that, that notices be signed by the Grand Jury Secretarys County Surveyor by order of the Grand Jury & served upon all the occupants of the premises in any way interfering with or obstructing the Bridge stating that unless these nuisances be immediately abated by their entire removal that they will be indicted at the next Assizes for this County.

*W. Wilson* & fellows

Ordered That the Treasurer be directed to fit & publish in the sentines immediately after these Assizes the days & places when he will pay in each Barony

*W. Wilson* & fellows

Ordered,

14 That in future when the County Surveyor shall intend to represent any sums in aid of the County or Barony, by reason of the Contractors not having performed their contracts he shall at the Presentment Issue furnish to the Chairman and read out in open court a list of the names of the Contractors and the sums which he intends to represent

*Wm. R. & fellows*

Ordered,

15 Serjeant — Stevenson Donegal.  
Andrew Delap of Ramelton,  
are appointed Inspectors of weights and measures for the County, Serjeant Stevenson's division to be complete in all that part of the County to the West as at present contained in Mr. Sturges division as County Surveyor Andrew Delap's division to be that portion of the County contained in Mr. Fraser's division —

The duties to be performed by each of these officers are to adjust and stamp all weights and measures in their districts the Companies are to be made with the sub standard copy at the nearest station to the locality. Each officer shall give due public notice of the day that he will attend at each sub stand and station and that he shall there hold an office open for at least three days for the above purposes, Salary of each office to be £25 per Annum and 25 per cent on the fees for adjusting

*Wm. R. & fellows*

Ordered,

16 That unless the late High Constable of Kilmacrenan Mr. Swiney pay into the Hands of the Treasurer within one month from this day the sum due by him, and for which he has given a plea of Confession, Execution is to be forthwith issued against him and his Sureties and It is further ordered that out of said sum or any other sum which may come to or be in his hands properly applicable thereto. The Treasurer shall first pay the contractors whose money has been so unpaid by reason of the defalcation of such collector —

*Wm. R. & fellows*

Ordered,

17 That as Peter Conolly, the late Assistant surveyor for the Barony of Boylagh was dismissed by the Grand Jury at the last Assizes, the sum presented for his half years salary shall be discharged payable to William Ryan, the present Assistant surveyor for said Barony —

*Wm. R. & fellows*

18 Ordered, That in reference to the Ballyshannon Bridge That Mr. Sproule our Sub-Commissioner do take such proceedings as may be advised by Counsel under the direction of the Commis. appointed in that matter,

*Wm. R. & fellows*

No 820 West Emishowen, Queries of Spring Assizes 1853

Ordered,

That the sum of £30.00 discharged to the late James Gibson of Crowslagh be paid to Margaret Gibson his widow & Adm<sup>r</sup> by the Treasurer

*Wm. R. & fellows*

Ordered, that proceeding at law be instituted against the following Contractors and their Securities for non performance of their Contracts, <sup>and if not completed</sup> On the days herein after set forth viz. Contracted for at Spring Assizes 1853

- Barony of Banagh
- 261 Denis Driscoll of Menagan — to be completed on or before 6 weeks from date of Assizes
  - 267 Patrick Conaghan of Primduff — unconditionally to be prosecuted
  - 268 William Cannon of Mountcharles — 6 weeks from date of Assizes
  - 269 James Donnan of Ardara — 6 weeks from date of Assizes
  - 271 Hugh Gallagher of Primduff — 3 weeks from date of Assizes
  - 272 Do — 3 weeks from date of Assizes
  - 274 Denis Garra of Meenacran — 3 weeks from date of Assizes
  - 282 John McBurnigan of Mullinbopp — 6 weeks from date of Assizes
  - 283 John McMonagle of Meenagrad — 6 weeks from date of Assizes

- East 1/2 Barony of Enniskowen
- 549 John Smith of Cuddaff
  - 569 Michael Ramshey Junr of Ballalaban
  - 571 John Lyde of Ballybrack
  - 574 James Ramshey of Gobury
  - 581 George McNeill of Cuddaff Glebe
  - 585 Charles McKinney of Greenacaste
  - 589 John Smith of Cuddaff
  - 612 Michael Ramshey Junr of Ballalaban
  - 620 George Doherty of Cruckna
  - 623 John Doherty of Carradonagh
  - 626 John Doherty of Templemore
  - 631 John Lynch of Milltown
  - 635 James Lynch of Cullyrean

- West 1/2 Barony of Enniskowen
- 821 Richard Patton of Ballynagallagh
  - 829 James Doherty of Ghaghrahan
  - 881 John McGilroy of Coshel (Securities)
  - 885 James O'Brien of Tobin
  - 889 Richard Patton of Ballynagallagh
  - 894 James Swary of Millfarm
  - 781 William Dugley of Tobin
  - 787 Patrick Doherty of Carranaghkinnego
  - 790 Edward Gillespie of Sladrian
  - 800 William Campbell of Moness
  - 801 Denis Boyle of Eggleston
  - 820 William O'Doherty of Linamore
  - 834 Neil Monin of Tye
  - 856 Edward Doherty of Conaghtinego
  - 858 Patrick Doherty of Conaghtinego
  - 893 Samuel Robinson of Bohernan
  - 894 James Fweeney of Millfarm
  - 895 John Toland of Cove
  - 853 William Campbell of Moness
  - 910 Bernard Doherty of Glacknabollan
  - 911 Do of Do
  - 912 George Doherty of Anghrill
  - 913 James Doherty of Maghriban
  - 915 George Neiff of Anghrill
  - 916 Do of Do

10 September 1853

Forthwith

10 September 1853

West Half Barony of Enniskowen

- 922 Denis McLaughlin of Meenaloochin
  - 924 James McCallion of Bakahean
  - 926 John Toland of Cove
  - 928 William White of Ruckey
  - 929 Richard Willy of Drisktown
  - 930 Do of Do
- 10<sup>th</sup> September 1853

Barony of Kilmacrenan

- 1170 Charles Boyle of Lissett
  - 1171 Patrick Boyle of Ray
  - 1173 Edward Brown of Blackfalls
  - 1174 James Boyle of Emuroocy
  - 1175 Do of Do
  - 1178 John Boyle of Corragharoggy
  - 1190 Neal Diver of Procklish
  - 1196 Bryan Friel of Drimbrieh
  - 1197 Do of Do
  - 1198 John Gallagher of Meentagh
  - 1199 John Graham of Court
  - 1200 Do of Do
  - 1201 Robert Greer of Dunfanaghy
  - 1204 Peter Gallagher of Meentagh
  - 1205 Do of Do
  - 1206 Bernard Gallagher of Clooncarney
  - 1212 James Gallagher of Stramore
  - 1213 Daniel Gallagher of Ballyenfall
  - 1223 William Lockhart Junr of Farnagh
  - 1224 William Seaney of Glenalla
  - 1225 Anthony Murray of Currin
  - 1227 Stewart Malcol of Ardummon
  - 1228 Do of Do
  - 1229 Patrick Murray of Currin
  - 1230 Patrick Murray of Currin
  - 1231 Thomas Malcol of Drimbrieh
  - 1236 Michael McAtee of Carronkeel
  - 1238 Securities of Roger W. Elve of ~~Penlagon~~
  - 1239 John W. Elve of Newtown Ballyconnell
  - 1240 Daniel McLaughlin of Drim
  - 1243 Hugh W. Daid of Crossaghs
  - 1245 Daniel W. Elve of Grovethall
  - 1246 Do of Do
  - 1247 Doalty McGarney of Glen
  - 1248 Do of Do
  - 1250 Bryan McGe of Derrymore
  - 1266 Pat McElinley of Glenkeragh
  - 1270 John McGeary of Longhassany
  - 1271 Do of Do
  - 1277 Anthony McGarney of Glentydally
  - 1282 Manus O'Donnell of Ballynacool
  - 1289 John O'Donnell of Crucknabolan
  - 1300 James Shannon of Promore
  - 1302 George Jones of Crucknaw
  - 1306 Thomas Wilson of Maghadrummy
  - 1307 James Wilson of Breen
  - 1313 James Boyle of Arroughney
  - 1318 Patrick W. Fadden of Robtine
- 3 weeks from date of Assizes

- 1172 Patrick Boyle of Ray
- 1089 Pat McElinley of Glenkeragh
- 1106 Neal Diver of Procklish
- 1106 Stewart Malcol of Ardummon
- 1115 James Wilson of Breen

Forthwith

# Barony of Kilmacrennan

- 978 Hugh McDivitt of Bohan  
 979 Patrick O'Donnell of Meenaniller  
 997 Anthony McFadden of Terlaghan  
 1022 James Ewing of Barnack  
 1023 Patrick Ferry of Saghordan  
 1024 Shane Ferry of Drinlask  
 1025 Do. of Do.  
 1026 Edward Gallagher of Mullanlaghan  
 1032 Daniel Logue of Mullaghkeap  
 1033 Donnick McPade of Ballynakill  
 1034 John McDavid of Locker  
 1035 Charles McDivitt of Drumacarroo  
 1037 Daniel McCay of Blagan  
 1038 Samuel McBoys of Ardumman  
 1047 Manus McFadden of Ferrerel  
 1049 William Smullen of Taleanagh  
 1054 Michael Doherty of Drumatraumon  
 1060 Francis Martin of Perona  
 1062 Michael McAlan of Carronkeel  
 1119 John Boyle of Prucklish  
 1126 Neal Piver of Letterkenry  
 1130 Michael Doherty of Drumatraumon  
 1132 James Ferry of Knockraughan  
 1133 James Ferry of Drumacarroo  
 1134 Do. of Do.  
 1135 Daniel Gallagher of Drumacarroo  
 1136 Peter Gallagher of Meentaght  
 1137 Daniel Gallagher of Kildrum  
 1138 Denis Gallagher of Ballymoy  
 1139 John Gailly of Killalastion  
 1140 William McDavid of Moylehill  
 1144 John McLaugherty of Sherry  
 1145 James McWenthor of Lebes  
 1146 Charles McGarvey of Foras  
 1148 Bryan McGea of Derrygherr  
 1149 Daniel McGea of Kincanagh  
 1150 Daniel McGea of Newtown  
 1151 Do. of Do.  
 1154 John O'Donnell of Pruckrabder  
 1155 Denis O'Donnell of Soughagamon  
 1157 Manus Lavery of Muroe  
 1162 Michael Boyle of Meenaniller  
 1163 Neal Piver of Letterkenry  
 1168 Peter Marley of Glen  
 1186 Michael Doherty of Drumatraumon  
 1188 Charles Deery of Ballyboe  
 1193 James Ewing of Ballydie  
 1202 Robert Giler of Dunfanaghy  
 1203 Peter Gallagher of Meentaght  
 1207 John Gallagher of Calhame  
 1208 Peter Green of Aughtore  
 1209 Do. of Do.  
 1233 Daniel McGea of Ballyconnell  
 1236 Michael McAlan of Carronkeel  
 1244 Samuel McFormick of Letterkenry  
 1253 Denis McFadden of Devlin  
 1269 John McCay of Drumacarroo  
 1278 Edward McCaffery of Gortnacall  
 1280 Neal McFadden of Devlin  
 1381 Robert Kea of Gortnaskeagh  
 1396 Roger McFadden of Roskine  
 1397 Edward McGea of Ballyconnell  
 1415 Daniel McLaughlin of Carragomanagh  
 1441 Bryan Roudin of Terrillion

10th September 1853

# Barony of Raphoe

- 1542 Hugh Gallagher of Kereagh  
 1543 Do. of Do.  
 1549 ~~Wm. McDougal~~ of Harlog (or Durety)  
 1565 John Peoples of Kirkcuddy  
 1566 Do. of Do.  
 1617 John McGlinchy of Glenteraugh  
 1650 Manus McShane of Colemackletrain  
 1667 Hugh Gallagher of Monglass  
 1730 John Hagan of Termonbaca  
 1773 John McGlinchy of Glenteraugh  
 1796 Patrick Brogan of Ballybagan  
 1801 Gilly Murray of Drumbarrett  
 1711 James Gallagher of Lettershanool  
 1776 Robert Cliphant of Grameland  
 1803 Do. of Do.  
 2066 Wm. Shaw of Killynorgan
- 10th September 1853
- one month from date of assizes  
 Conditionally  
 one month from date of assizes  
 unconditionally

County Antrim



Spring apizes 1854

Ordered That the collector of County cess being obliged to give Receipts for County cess, the County Printer be directed to print and furnish to each collector, a sufficient number of Receipts in Books of 100 each, each receipt being a blank or duplicate thereto, & also a sufficient number of Applotment Sheets

*Wm B & fellows*

Ordered That the Payment of £98 Summ Apizes 1853, to John L. Byrne, late County Survey Assistant be made payable to Mr. Warte, to pay John L. Byrne, Seven pounds, Seven Shillings and Six pence (for seventy day duty) and the balance to the parties Mr. Warte employed to do the duty & subsequently to John L. Byrne's resignation.

*Wm B & fellows*

Ordered That the Sum of £3.10.0 payable to late William M. Kinley of Doosick, be made payable to David M. Kinley the brother and only next of kin of the said William M. Kinley deceased, and that the Treasurer take his receipt for same,

*Wm B*

*fellows*

Ordered

That the Treasurer have immediate proceedings taken against all collectors of County cess who have not complied with the terms of their Bonds,

*Wm B & fellows*

The Committee to whom have been referred certain requisitions from the Commissioners of Public Works for payments on account of certain Piers & Harbours, have agreed to the following:-

Report

Each certificate recites that the Comms of Public Works have duly made their award with respect to each pier respectively, and that a certain sum is "payable by certain Townlands; but no copy of such awards has been furnished to the Grand Jury, who are thus ignorant,

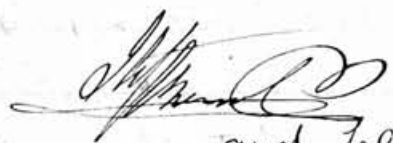
- 1<sup>st</sup>. whether the formalities required by Law, as to notices &c have been duly complied with
- 2<sup>nd</sup>. whether the townlands charged are fairly liable, whether any are omitted which should be charged, or any charged which should be omitted,
- 3<sup>rd</sup>. whether the works have been really executed according to the original estimate, & the money expended properly and economically.

Our case will afford an example of the position of the Grand Jury in the matter,

The committee are informed that the original intention in the construction of the Pier at Portnablaghy was that the rocks close to it should be removed -

This has not been done and the fier is consequently  
useless.

It is therefore the opinion of the Committee  
that the Presentments should be postponed, and that  
the Secretary be directed to apply to the Commissioners  
of Public Works for the information above referred to.

  
and fellows,


County of Donegal

Spring Assizes 1854.

I certify that Mr. William Cochran of Castlure  
High Constable and Collector of the County Cess for  
the Barony of Raphoe has produced to me a  
Receipt from the County Bank for the sum of Fifty-  
two pounds over and above the amount which he  
was bound to pay in at the present Assizes, and that  
he has a right to be repaid the said sum of £52-0-0

Francis Mansfield  
Treasurer,

Ordered, That the Treasurer do draw on the Bank  
in favor of the abovesaid William Cochran for  
said sum of Fifty-two pounds, to refund him the  
said sum so overpaid.

  
and fellows,


Ordered, That the sum of Two pounds Eleven  
shillings <sup>8</sup>/<sub>2</sub> presented to John Ferry ordered at Spring Assizes  
1857 - N<sup>o</sup> 159 and discharged at Spring Assizes 1853  
but not paid, be paid to Darby Ferry the father of  
said John, (who has since died) and that the Treasurer  
do take his receipt for same.

 } of fees

Ordered, That by the consent of John Scarlett late  
High Constable, and Collector of County Cess for the Barony  
of Banagh, the sum of Forty-nine pounds, Seventeen shillings  
and Two pence, Presented at these Assizes for his poundage  
on collecting Nine hundred and ninety seven pounds, four  
shillings and Two pence of County Cess and the  
further sum of £31.15.2 fees for collecting £635.3.6  
of labor rate, and also presented to him at these  
Assizes shall be paid over by the Treasurer  
to Patrick Laughlin of Castle Murray one of the  
Jurors of the said John Scarlett whose receipts  
shall be a discharge to said Treasurer for same.

and fellows

Ordered, That out of the presentments made to  
Patrick Kildea for the Interpreter's Salary at Assizes  
and Sessions the sum of Five pounds be made payable to  
Thomas Kerr he having acted as Interpreter at  
Summer Assizes 1853.

 and fellows

Best copy to Perry Martin  
22<sup>nd</sup> April 1854  
P.M.

Ordered, That inasmuch as J. M. Stevenson of  
Dorridge who at last Assizes was appointed Inspector  
of Weights and Measures for the Division of  
this County comprised in Mr. Bart's District  
having resigned such office at those Assizes  
his Resignation be received & accepted,  
And That Perry Martin of <sup>Linn</sup> Dorridge  
late of the Constabulary be appointed  
in his Room and Stead to such  
office of Inspector of Weights and Measures  
J. M. Stevenson & fellows

Ordered, That the Inspectors of Weights and Measures  
for the County do attend at the office  
of Sub-Inspector Kiveman, at Poplar  
on such day as he shall appoint  
order to be present at the adjusting  
the sub-standards copies of the weights  
and measures and to receive from  
him such number of copies thereof  
together with the dies for stamping  
as have been allocated for the respec-  
-tive Towns in their Divisions, and  
that they proceed forthwith to discharge  
the duties of their office in their  
respective Districts,  
J. M. Stevenson & fellows,

Best copy to Mr. Kiveman  
Reports, Balgownie & New Town  
22<sup>nd</sup> April 1854

Ordered, That the Presentment made to fallow  
Hamilton and James Mowbray the sons of the late  
Isaac O'Donnell for £41. 5. 8 at Spring Assizes  
1850 No 994 on the Warrant and the  
further sum of £174. 5. 0 presented to same persons  
at Spring Assizes 1851 and No 167 on the  
Warrant be applied by the Treasurer towards  
the payment of the Arrear of County Tax due  
by John O'Donnell, and that the latter sum  
be now discharged  
J. M. Stevenson & fellows

11 16 19

## Summer Assizes 1854

The Committee appointed to examine the Coroners Presentments beg to remark that in Mr. O. Donnell's Inquests, they find that in the one held on Cornick Ward, sufficient exertion was not made to secure the evidence of the Person in whose house he received the injury from which he afterwards died, and that on that person being summoned and not attending, a Warrant was not immediately issued to make him amenable to Justice for his neglect, it having appeared that the person and the individual who inflicted the injury absconded the next morning.

And further that in the case of Brian O. Donnell who had received a blow of a stone which had been thrown at another person, the Coroner had not exercised his Power in committing the Person so doing for trial for that offence though that person was in the custody of the Coroner and discharged by him at the instance of the Jury - shewing the incompetency of Mr. O. Donnell for the office he held -

M. J. Mayes  
and fellows -

4.8  
4.6  
2

Ordered - That Thomas Jenkins Clerk in the Gaol be discharged from his situation therein, his conduct having been highly reprehensible and incorrect, and that any amount of salary which may now be due to him shall be withheld until all Books & accounts connected with the Dietry of the Gaol are investigated and audited and that the Board of Superintendance do provide a competent Clerk in his place -

M. J. Mayes  
and fellows -

Ordered - That inasmuch as the case of Presentment to the Contractor for the Printing for the County was not put on the levy at last Assizes, owing to a Question as to its legality having been raised by the Judge, and inasmuch as he has executed the Printing according to his Contract, between the last and present Assizes and obtained the Certificate of the proper Officers for the same, We order that the Treasurer shall be at liberty out of the Balances remaining in his hands to advance, and pay the amount of said Half yearly Instalment viz £150 to said Contractor and take Credit for the same in his account -

M. J. Mayes  
and fellows -

Ordered - That out of the Balances in his hand to the credit of the County, the Treasurer shall advance to Mr. Spruce the Solicitor of the Grand Jury the sum of Fifty Pounds towards the costs and expenses of carrying on the Proceedings against

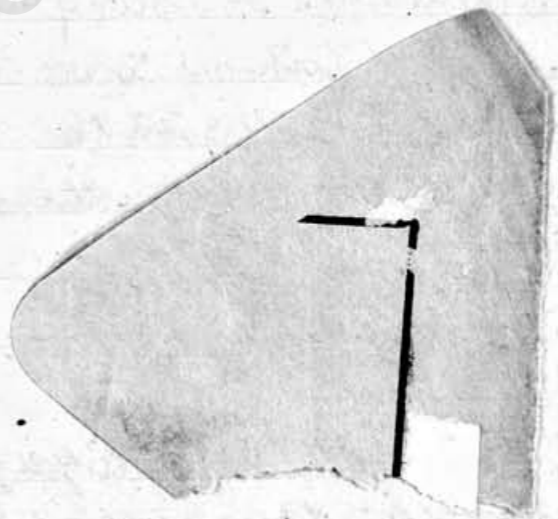
against Hamilton Conolly, John McConry  
and others for nuisances and obstructions  
on and to the Bridge of Ballyshannon, and  
that he take credit for same in paying his  
account, and that Mr. Sproule do account  
and give credit for same out of his cos  
when taxed and presented -

*M. Hayes*  
and fellows -

Ordered - That that the County Surveyors at  
each Presentment Sessions do furnish the  
Magistrates and Ratepayers then assembled  
with a List of those sums intended to  
be represented by them at the following  
Assizes -

*M. Hayes*  
and fellows

Ordered That the County Treasurer do suspend  
the payment of the sum of £31.15.2 and £49.17.0  
respectively presented to John Scarlett of Tillybeg  
at Spring Assizes 1854 Nos 149 + 150 on the Part  
of Banagh, until the balance on foot of his account  
for Labour rate be settled and discharged, -



against Hamilton Conolly, John McConeg  
and others for nuisances and obstructions  
on and to the Bridge of Sallishannon, and  
that he take credit for same in paying his  
account, and that Mr. Sproule do account  
and give credit for same out of his cost  
when taxed and presented -

By  
Mays  
and fellows -

Ordered - That that the County Surveyors at  
each Presentment Sessions do furnish the  
Magistrates and Ratepayers then assembled  
with a List of those sums intended to  
be represented by them at the following  
Assizes -

By  
Mays  
and fellows

Ordered That the County Treasurer do suspend  
the payment of the sum of £31.15.2 and £49.17.6  
respectively presented to John Scarlett of Killybeg  
at Spring Assizes 1854 Nos 149 & 150 in the Bar  
of Banagh, until the balance on foot of his account  
for Labour rate be settled and discharged, -

Spring Assizes 1855

John Boyle declares himself perfectly satisfied that any proceedings the Grand Jury shall direct shall be taken against him provided he has not the road no. 131, Summer 1851, finished to the satisfaction of the County Surveyor previous to Summer 1855, and the Grand Jury further direct that the County Surveyor shall afford John Boyle every facility in his power towards enabling him to complete the work - always taking care that a sufficient sum be retained to finish the road in the event of any default on the part of Boyle to finish the contract -

Yours & fellows

Ordered - That William Ryan the assistant Surveyor for the Barony of Boyleagh be dismissed

Yours & fellows

Ordered, That inasmuch as the accommodation in the present Sessions House in Wickham is not sufficient for the discharge of the Public Fiscal business, Mr. Harte be authorized to apply to the Mayor of Longford or his agent to make such changes and alterations therein as may be required, and in case same shall be carried out the Grand Jury will present a sum of five pounds a year for the Rent thereof.

Yours & fellows

Ordered - That the person or persons to be appointed by the County Surveyor to do the duties of Assistant for the Barony of Boyleagh are to be paid from the sum now presented in the name of Mr. Ryan for the next assizes and that Mr. Ryan is not to be paid his present salary until he delivers up all the necessary documents to Mr. Harte -

Yours & fellows

6 & 7 Wm. 4. c. 116. Sec. 175.

Resolved - That the Barony of Raphoe be divided into two Half Baronies for fiscal purposes, and that one of such half Barony shall be called the North Half Barony of Raphoe and shall comprise the Parishes of All Saints, Touighboyne, Clonsleigh, Killea, Lick, Raymoghley and Raphoe, and that the Presentment Sessions for such half Barony shall be held at Lifford - And that the other half Barony shall be called the South half Barony of Raphoe, and comprise the Parishes of Bowoy, Donaghmore, Stranorlar, Kiltewock that part of Bowoy in the Barony of Raphoe and that part of Urney in the Barony of Raphoe and that the Presentment Sessions for the same be held at Stranorlar - and that all Presentment for such purpose be made at these assizes in conformity with the above recited Act.

Yours & fellows

Ordered, That N<sup>o</sup>. 274 on the Querys of these  
affairs, ~~discharge~~ Thomas Lowry, by  
paid to Thomas Broome Esq. & discharged  
to him & that the Treasurer take his receipt  
his leaving, be the person who performed  
the work,

Wm. H. & fellows,

Ordered

That the Presentment for £500 for the Alterations  
and Repairs of the Crown Court in Lifford be  
suspended, for the present & for ever, and that  
the Presentment N<sup>o</sup>. 185. on Schedule be  
now read and Certified again, and  
that the County Surveyor do lay out what  
presentment he thinks proper plans, embracing  
the better Improvements Contemplated, in  
the different Courts, Judges Rooms, Jury Room  
and for heating & ventilating same and bring  
forward an Application for same not  
to exceed £1000, and also that he apply  
for a sum to repair the Roof of the same, &c.

And the undersigned Committee recommend that the  
Presentments to the Weigh Masters be passed and that  
W. Delap be dismissed for inattention and other irregularities  
and that the Magistrate at the Letterkenny April Quarter  
Sessions appoint a successor.

W. Albert  
Robert M. Clintoach  
John Beers

Wm. H. & fellows,

and fellows,

Ordered, That the Inspectors of weights have a fixed  
Salary calculated to cover all their travelling expenses and  
be required to visit all the market towns in their district three  
times between each assizes upon days named by the Grand  
Jury and that ~~the~~ check upon their performing this duty be  
that they be required to keep a book in which the Head  
Constable of Police at each town enters the date of each visit  
All fines &c. be lodged to the Credit of the County

Wm. H. & fellows,

and fellows,



Summer Assizes 1855.

Ordered = That the Presentment No. 121 on the Warrant of the County at Large for Spring Assizes 1855 made to the Revd James Reid of Rathmelton for the support of the Fever Hospital at Rathmelton, be paid to the <sup>surety</sup> Revd Benjamin Darcus - who since last Assizes has been appointed Treasurer of the Institution

W. M. B. & fellows

Ordered, That in future all applications for works, and the Certificates of the County Surveyors shall specify the Parishes in which such works are situated and that the County Surveyors shall in all Certificates and Applications for repairs and contracts by them state the Class of Road, to which they refer, and that the name of the Parish <sup>& class of road</sup> be printed on the Schedule and Warrants,

W. M. B. & fellows

Resolved, That the Sheriff being brought before the attention of the Grand Jury the writ which he has received to remove the obstructions to the Bridge of Ballyshannon, That James Johnston

Ordered, That ~~the~~ contract, entered into by Daniel  
McDead of Rarneston, at Summer Assizes 1854 N<sup>o</sup>.  
To keep in repair for 2 1/2 years 376 perches of the Road  
from Letterkenny to Rathmullan between Rathmullan  
Church Gate & Collos, Spinnery & between the Hotel and the  
Bridge, & between the Corn Market & Prigians be  
Rescinded, and Contract having been taken for said  
works, & the Contractor agreeing thereto,

Ordered - That the Contract entered into by Daniel  
McDaid of Rathmellan at Spring Assizes 1854  
To keep in repair for 3 years 900 perches of the main  
Carroad from Letterkenny to Ramelton between Co. W.  
Swine of Castle Shanaghan & Ramelton Church Gate  
be rescinded, another Contract having been taken  
for said works at these Assizes & the Contractor  
agreeing thereto -

J. W. B. & fellows

& fellows -

Ordered - That Constantine O'Donnell of  
Aughaweil in the West Hall Barony of Lunihowen  
be prosecuted if the Contract for making the new  
road in the Island of Inch, as presented at  
Spring Assizes 1854, be not completed the 1<sup>st</sup>  
of November 1855, And that the County Surveyor  
be directed to report the same to the Solicitor who  
is to take proceedings against him & his sureties  
to enforce the amount of his Bond -

J. W. B. & fellows

Resolved - That the Sheriff having brought before  
the attention of the Grand Jury the Writs which he  
has received to remove the obstructions to the Bridge  
at Ballyshannon - That James <sup>Melison Esq.</sup> ~~Johnston Esq.~~ <sup>Melison Esq.</sup>  
Melison Esq. Thomas Brooke Esq. and Alex<sup>r</sup> Hamilton  
be appointed as a Committee along with Mr. Crookshanks  
and Mr. Darte the County Surveyor to meet on the Bridge  
and arrange for the removal of all obstructions  
to the waterway of the Bridge and to report to the  
Grand Jury at next Assizes, ~~and hope that~~ ~~Mr~~  
~~McComery the owner of the Premises will enter into~~  
~~such arrangements with the Committee as will~~  
~~secure the objects of the Grand Jury in this~~

J. W. B. & fellows

& fellows -

Ordered - That the Treasurer of the County be  
required to make application to the Secretary of the  
Board of Works for statements of sums remaining  
due upon accounts on foot of the different works on  
which the Board has advanced loans shewing the dates  
and amount of <sup>the</sup> advances & repayments and the sums  
remaining due upon each of such loans -

J. W. B. & fellows

& fellows

Ordered - That Patrick McQuinty one of the assistant surveyors of the Barony of Raphoe be dismissed from such office, and that the County Surveyor do appoint another assistant in his place, and that the salary be presented to him to pay such newly appointed assistant

W. Wood & fellows

At the Grand Jury of the County of Donegal assembled at Lifford Summer Assizes 1853 under the provisions of an act passed in the 15<sup>th</sup> year of the Reign of Her present Majesty Queen Victoria Intituled "An act for the Construction of a new Bridge over the River Foyle at Londonderry and approaches thereto" Do hereby nominate and appoint James Johnston Esq of Woodalane Commissioner for the County of Donegal for carrying into execution the provision of the said act

W. Wood & fellows

Ordered - That Inasmuch as the Government have given up all claim to the charges for Labour Rate, and there appearing a sum of Seventy five Pounds due on foot of the Labour Rate acct. with Mr. John Scarlett, late Collector of County Cess for the Barony of Banagh, It is ordered that the County Treasurer be directed to expunge the said sum of Seventy five Pounds from the County Books, and that the respective sums of £31. 15. 2 and £49. 17. 2 presented to John Scarlett of Killybegs at Spring Assizes 1854 Nos. 149 & 150 in the Barony of Banagh be paid over to Patrick McLaughlin of Castle Murray, the security for the said John Scarlett and that the County Treasurer be exonerated from same.

W. Wood & fellows

Ordered - That one Inspector of weights & measures be employed to officiate in the entire County, and that he be required to devote the entire of his time & attention to the duties of this office, and consequently that Rainey Martin be discontinued as an Inspector of weights for this County -

W. Wood & fellows

Ordered - That Mr. Hayes be and hereby is nominated and appointed Inspector of weights and measures for the whole County, and that he be paid a salary at the rate of Eighty pounds a year including his expenses -

W. Wood & fellows

Ordered - That out of the sum of £14. 14. 3<sup>1</sup>/<sub>2</sub> which is now in the hands of the abovenamed William Roy on foot of fees heretofore received by him, he retain £7. 6. 4 the amount of expenses incurred by him & pay the balance to the Treasurer -

W. Wood & fellows

Ordered, That the Treasurer do direct proceedings to be taken by our Solicitor and such Collectors as he shall think it right to have sued for Nonpayment of their County Cess which they should have paid in at these Assizes

W. Wood & fellows

Spring assizes 1856.

Ordered - That proceedings be taken against John Doyle of Trucklish at the next June Sessions unless he has finished to the satisfaction of the County Surveyor <sup>or before the first of May next.</sup> the road leading from Ramellon to Rosinacree between the place where the proposed new road crosses the old road in the townland of Lortnavern and where it crosses the present road in the townland of Carrinacree.

Mays & fellows.

Ordered - That proceedings be taken against William Lockhart Junr. of Larnagh at the next June Sessions if he has not the repairs on the road leading from the Ferry at Fort Stewart completed on the first day of May next according to his Contract -

Mays & fellows.

Ordered, That in cases in which the County Surveyors shall find it necessary to summon Contractors or other persons to Petty Sessions for frauds, nuisances or other offences, they shall furnish to Mr Barrett the costs & expenses which they may incur, and that Mr Barrett shall charge same in his Costs, and pay them out of the sums levied by the Sheriff upon defaulting Contractors, and that in important cases, the said Surveyors shall have power to employ a professional person to aid them at such Sessions,

10 Mays & fellows.

Loughswilly Board of Appointment of John Fordon Bowen  
Commissioners  
Whereas by an Act of Parliament passed in the first  
and second year of the present Reign Intituled "An  
Act for draining and embanking certain lands in  
Lough Swilly & Lough Foyle in the Counties of Donegal  
& Londonderry, And Whereas for the purposes of  
said Act Samuel Spruce, James Fraw Wood  
& Andrew Ferguson, James Johnston, Charles Norman  
and Isaac Colbourn, Esqrs were appointed a Board  
of ~~Commissioners~~ Commissioners to be called  
"The Loughswilly Board of Commissioners" &  
Whereas said Act also provided that in case  
any of said Commissioners thereby appointed or  
hereafter to be appointed should die or ought  
or refuse or become incapable to act it should  
~~remain~~ be lawful for the Grand Jury of the  
County of Donegal if such vacancy should  
occur in the said Lough Swilly Commrs  
and they are hereby authorized and directed  
from time to time to nominate and  
appoint such other persons not being interested  
in the premises as to them shall seem proper  
instead of the Commissioners so dying or ought  
or refusing or becoming incapable to act as  
aforesaid, And Whereas, the said Andrew  
Ferguson one of said Commissioners has since  
died, Now the the Grand Jury of the  
County of Donegal assembled at Spring  
Apptz 1856, do hereby nominate and appoint  
John Fordon Bowen Esq. pursuant to the power  
vested in us, to perform & discharge the duties of a  
Commissioner for the purposes of said Act, instead  
of the said Andrew Ferguson Esq. so deceased &

Attys & fellows

Resolved,

That strict orders be given to the County Surveyors  
and ~~Deputies~~ <sup>Assistants</sup> in no instance to sanction by Certificate  
or otherwise any shilling or other presentment of that  
character which is not accompanied with a map and  
detailed Specification and Estimate of the entire  
work to be done and stating the quantities of material  
to be put on, to open out the whole of the proposed work  
including Bridges, Repairs, Mason work, &c. &c.  
and that such works shall not be taken off the  
applicants or Contractors till the Surveyor has accur-  
ately examined and seen, that all the works have  
been faithfully carried out.

Attys & fellows

Ordered — That the Clerk of the Peace and  
Clerk of the Crown do hereafter publish on  
the Public Orders, a Copy of the Return  
of the Fees and emoluments of their respective  
offices, as set forth in their affidavits made  
pursuant to 6<sup>th</sup> & 7<sup>th</sup> 10<sup>th</sup> 4<sup>th</sup> & 11<sup>th</sup> S. 112,  
Attys & fellows

Ordered, That the County Treasurer do Repay  
to Robert Mansfield Esq. late High Constable  
and Collector of the County Cess for the Barony  
of Raphoe the sum of One hundred pounds  
being the amount advanced by him (altho not  
collected) & paid into the County Bank on account  
of Labor rate and to which sum the Government  
has given up all claim  
Attys & fellows

Ordered, That the Judge having called the attention of the Grand Jury to the Cold & uncomfortable state of the Bench and Court House, The Board of Superintendents shall take such steps, as to them may appear requisite to remedy same

Attest & fellows

Ordered, That the Sheriff do suspend the execution of the Warrants for removing the obstructions at Ballyphannan Bridge,

Attest & fellows

Ordered,

The undersigned having been appointed by the Governor of the Londonderry Lunatic Asylum at a monthly meeting held on the 11<sup>th</sup> January 1856 to draw up a Report on the part of the Committee of Derry & Donegal with reference to the claims of the County Tyrone for the repayment of a proportion of its contribution to the original erection of the Asylum report as follows -

At a meeting of the Committee held at the Asylum on the 23<sup>rd</sup> January 1856 -

Present -

Sir R. Bateson Bart. Chairman

J. V. Stewart Esq.

Col. Rumprey

P. Clemenzer Esq.

J. B. Beresford Esq.

J. G. Bowen Esq.

Resolved - That Mr. Lanyon on having been unable to meet this Committee upon a point of vital

importance connected with this building, we request that he will postpone coming here till after he receives instructions from the Board of Governors after their meeting on the 8<sup>th</sup> February next -

The Committee having met to consider the matter referred to them by the Board of Governors consider it necessary that the subjoined statement be submitted to an Actuary of eminence as the only equitable way of arriving at the fair interests of the different Counties -

In the year 1829 A. B. C. entered into partnership in a Building for their joint use and invested in its construction £25,678. 2. 4 in the following proportions -

A - £7071. 5. 0

B - 9055. 10. 1

C - 9551. 7. 3

25678. 2. 4

The Building having been constructed for the conduct of a new & unusual business with which the partners were not well acquainted, the Building was therefore from that inexperience constructed on a faulty principle and on an unusually expensive plan - It was also very defective in its original construction and materials as evidenced as evidenced by an outlay of £5585. 1. 10 in repairs in the period of 24 years, its present dilapidated state requiring great outlay and by the accompanying Report showing its existing state -

Being dissatisfied with the partnership concern separated from

it in the year 1853 and now claims repayment of its share in the original joint concern.

The construction being of bricks faced only in front with cut stone ashler unbonded and slated,

It is required to obtain from an actuary the value of the separate interests of A, B & C in the year 1853 when the parties separated have regard to the perishable nature of such a building its deterioration in 24 years and the advantage C. will obtain by being able to erect a building for his separate use on the most improved construction and of the best materials as contrasted with the condition A & B are left in with the old defective concern.

The respective contributions of A and B to be made to C is also required.

The above sum of £25,678. 2. 4 is made up as follows,

Land	£752. 18. 5
Building	23507. 9. 10
Furniture	147. 14. 1
	£25678. 2. 4

Resolved - That the above statement be referred to Mr. \_\_\_\_\_ and that this Committee meet again on the first day for fiscal business at the next Lifford assizes to draw up their final report for the information of the respective Grand Juries of Derry and Donegal and that Sir Robert Bateson & Mr. Gilmore

be requested to correspond with such actuary in the interim with power to call a meeting of the Committee if circumstances should arise to render an earlier meeting necessary -

(Signed) Robert Bateson, Chairman

At a meeting of Committee held on the 8<sup>th</sup> February 1856 at 11 o'clock -

Present -

Sir Robert Bateson Bart. Chairman

John V. Stewart Esq<sup>r</sup>

Col. Rumprey

A. Dabington Esq<sup>r</sup>

It was proposed by A. Dabington and seconded by John V. Stewart Esq<sup>r</sup> that Mr. Daparty be immediately employed to make a detailed estimate and valuation of the existing state and value of the Lunatic Asylum pointing out all its defects and that this Committee have power to forward the report together with instructions to Mr. Thompson the Actuary at Edinburgh to make a comparative value between the present state of the House and its original cost and that this Resolution be submitted to the Board for their approval -

At an adjourned meeting of the Committee held after the Board had separated on Friday the 8<sup>th</sup> Feby Instant -

Present -  
Sir R. Bateson Bart. Chairman  
Col. Dumfrey  
J. V. Stewart Esq.  
A. T. Robinson Esq.

It was resolved that in furtherance of the powers given to the Committee by the Board of Governors, that Sir R. Bateson and P. Gilmore Esq. be requested forward all the necessary papers and instructions to Mr. Thompson Edinburgh the moment they are completed.

On the 27<sup>th</sup> February 1856, Sir Thomas Deane and Charles Lanyon Esq. Commissioners met Mr. Deegan and spent several hours in examining the state of the house -

On the 28<sup>th</sup> February the Committee assembled on a requisition from the said Commissioners & met on the part of Tyrone Samuel Vesey & C. R. Scott Esq. the Rev. Henry Tottenham & the Hon. Andrew G. Stewart & J. D. Beresford Esq. on the part of the County of Londonderry, a Commission was received by Sir Thomas Deane, the Commissioners called on the County Tyrone Committee to furnish a statement of their claims in writing which they did to the following effect,

Copy of their Report  
" We Samuel Vesey Hon. Andrew Gosney Stewart, Mr. Henry Tottenham, & Charles Scott, being Governors of the County Tyrone Lunatic Asylum appointed by the Governors as a Deputation to meet

Sir Thomas Deane, Knight & Charles Lanyon Esq. Commissioners appointed by the Lord Lieutenant of Ireland, by Letter from them of the 21<sup>st</sup> February instant, to meet the Governors of the Londonderry Asylum on this day 28<sup>th</sup> February and Sir Robert Bateson Bart. John Dine Beresford, John Vandeleur Stewart, Benjamin Geale Dumfrey and John Bower Esq. Governors of the Londonderry Asylum to inquire and determine what sum the County of Tyrone should receive for advances paid for building the Asylum whereby amounting to the sum of £4551. 7. 3 - commencing at Lent 1830 - being the proportion of £25,678 the sum estimated for building the Lunatic Asylum at Derry, to which the County Tyrone was jointly liable and was agreed in a sum of £4551. 7. 3 to be thenceforth paid in 14 yearly Instalments amounting to 14 Instalments of £682. 4. 10 yearly, and which said sum has been duly paid & discharged by the County of Tyrone, whereby claim on behalf of said County to be reimbursed by the Counties of <sup>Londonderry</sup> Derry & Donegal pursuant to act of Parliament of 18<sup>th</sup> & 19<sup>th</sup> Vic. Chap 109. Sec. 4, and the grounds upon which we claim repayment are as follows -

That the act of Parliament separated us from the Counties of Derry and Donegal Asylum with which we were perfectly satisfied to have remained, and the Government having since ordered the erection of a large Asylum contiguous to the Town of Omagh for the Counties of Tyrone and Fermanagh, which has already cost upwards of £42,000 with a prospect of a larger outlay together with the purchase of land for a site etc



a further expense of £2000. We do therefore submit we are justly and fairly entitled to the repayment of the full sum of £9557. 7. 3 so paid by the County of Tyrone, and also in consequence of Tyrone having contributed a larger sum in proportion than either of the two adjoining Counties - And the Londonderry Asylum having since the permanent profit and advantage of our money -

Signed, Saml. Vesey  
S. J. Stewart  
Chas. Scott  
Henry Tottenham -

On which the Derry and Donegal Committee furnished the Commissioners with the foregoing subjoined statement of their views of the Question the Derry and Donegal Committee in consequence of the appointment by the Government of the above two Gentlemen as Commissioners considered it would be unnecessary under these circumstances to pursue their design of employing an Actuary -

Signed, Robert Dalton, Chairman  
Wm. Humphrey  
John R. Stewart  
J. G. Brown

The Committee met at Ligon on Wednesday the 12<sup>th</sup> March and addressed the following written statement to the Commissioners. Sir Thomas Deane & Co. Ligon 1834. -

Gentlemen, The Lord Lieutenant having appointed you as Commissioners to enquire into and Report upon the Repayments to be made to the County of Tyrone by the Counties of Derry and Donegal on account of its contribution to the original erection of the Londonderry Asylum; We do not now consider it to be necessary to carry out our original intention of employing an eminent Actuary to aid us in arriving at an equitable solution of that question, as we are confident that in your reporting upon it, our purpose will be accomplished; But we feel that we should not be discharging our duty as a Committee appointed on the part of these Counties if we failed to lay before you on paper the principles which would guide an Actuary in the Calculations he would make, and the data on which they would be based; in giving an answer to the Question as we have stated it in the written paper we handed you as the statement of our case, and we feel it to be the more necessary to do this as our conversation when we meet you at the Asylum, was necessary of a desultory Character, and more particularly so as it is more than likely many facts may escape your Recollection as your Report is not to be made for some months, and you will have the facts of many other similar Institutions mixed up in your minds before you can decide with regard to this one, and we are under the impression from what you stated that a written communication from either side would not be unacceptable -

We have reason to believe that an Actuary in considering this Question would

proceed as follows:- He would lay down or determine certain characters of building as a guide for their classification with a view of arriving at the probable term of duration of each; in the same way as the Register at Lloyd's classifies ships according to their different construction and materials. For example. -

- 1<sup>st</sup> Class - A. Building of cut stone best materials & work - } Probable duration - } say 150 yrs
- B. Building of cut stone inferior materials & work - } say 120
- 2<sup>nd</sup> Class - A. Mixed materials. cut stone and rubble work, - best materials & work } say 120
- B. Mixed materials. cut stone and rubble work. - inferior materials & work } say 100
- 3<sup>rd</sup> Class - A. Mixed materials. cut stone & brickwork. - best materials & work } say 100
- B. Mixed materials. cut stone & brickwork. - inferior materials & work } say 75
- 4<sup>th</sup> Class - A. Rubble mason work, best materials & work - } say 100
- B. Rubble mason work, inferior materials & work - } say 70
- 5<sup>th</sup> Class - A. Brickwork, best materials & work - } say 90
- B. Brick work, inferior materials & work - } say 75
- 6<sup>th</sup> Class - A. Mixed materials, brickwork and rubble work, best materials & work - } say 90

6<sup>th</sup> Class - B. mixed materials, brickwork rubble work, inferior materials and work - } say 70

Then having by Inspection (as you have done) or by report of a competent Architect, or otherwise, ascertained the class to which the building of this Asylum belongs, he would deduct out of the term of its probable duration (in his classification) the number of years it had been jointly occupied by the partners A, B & C. as stated in the paper we have already given you; and whatever proportion of the whole duration that deduction might be (whether a third - a fourth - or fifth or a half) would be a deduction in that proportion out of the repayment to be made to C on account of his original contribution. But he would also deduct from it a proportionable part of the sum necessary to put it into tenantable repair (as ordinary deperceptions, for which C is answerable for his quota during his occupation jointly with A and B, and he would in addition value the 1<sup>st</sup> period of its duration higher than the 2<sup>nd</sup> 3<sup>rd</sup> or 4<sup>th</sup> as the cost of maintenance (irrespective of ordinary annual repairs) would be less in the first period (when all was new) than in the subsequent ones, and so on in a geometric proportion of increase as it progressed to the end of its duration. And above all he would consider the suitability of the building for its purpose, and if badly calculated to meet the modern requirements of the business for which it was originally constructed, he would make a very large abatement on that ~~same~~ ground from C's claim.

To make our views more clear we will

illustrate these principles by a supposed case and take the Londonderry Asylum as an example.

Suppose that the Actuary found in the manner we have pointed out, that the Londonderry Asylum fell under Class 3<sup>rd</sup>. Its duration by the foregoing supposed Table would be 75 years.

Then if the joint occupation of A, B and C previous to the dissolution of partnership, had been 25 years; C the retiring partner having enjoyed the joint occupation for a third of its duration would on this branch of the case be entitled to receive back two thirds of his original contribution.

But the Actuary would further reduce a proportional part of the tenantable repairs actually necessary at the time of dissolution of partnership to put the premises into tenantable repair, if the Contributions had been equal - One third - and if less a smaller proportion, and he would ascertain the cost of these repairs by actual survey and estimate by a competent builder. And he would further deduct a sum equivalent to the difference of outlay in necessary maintenance for the unexpired term of its duration as contrasted with the less costly maintenance during the past, adopting a geometric scale of progression.

Thus if each of the Contributions had been equal viz -

A.	£9000
B.	9000
C.	9000
	£27000

He would make the repayment to C. £6000 that is reducing one third of £9000 and he would deduct from that £6000 one third

of the tenantable repairs necessary when C retired - say £200 being one third of £600 the tenantable repairs required; reducing the £6000 to £5800, and he would take from that sum the maintenance repairs; proceeding as follows.

If it (the maintenance) in the first period of 25 years cost £500 (average £20 per annum) he would calculate the second period of 25 years would cost £1000, (or £40 per annum), and the third period of 25 years would cost £2000 (or £80 per annum) the three being £3500 and if this £3500 he would take the third viz - £1166 and reduce it from the £5800 that C was to receive bringing it to £4634.

And from this he would further reduce in consideration of the unsuitableness of the building for the purpose of A and B for which unsuitableness C is as answerable as A and B.

Then with regard to the ground, we are assured that he would value it at what it actually cost A, B & C and therefore supposing it to have cost £700, he would award £233 to C to be added to £4634 making C's share £4867, he would not consider any increased value that land in its neighbourhood might now bear, as contrasted with the price at which it was purchased, because A & B on the dissolution of partnership are not permitted to convert the ground into money or separate it from the building; the tenure prohibits that; and even if they could separate it they would have to purchase other ground at an

equally high rate in the neighbourhood or to throw down  
the building and remove elsewhere at an enormous cost.  
It is therefore to all intents and purposes like minerals  
in the ground under a building of only nominal  
value as it cannot be converted into money except  
at the sacrifice of the building itself, which is of  
tenfold more value than the mineral beneath it  
if converted into cash.

We are also assured that the actuary would  
not allow to any interest on the capital advanced  
by him, as his original contribution; because  
A, B, and C have each contributed their share of  
it and lost the interest, also, and that he would  
in fact view the interest of the capital of each,  
as the share of rent which each had to pay for  
the occupation of the premises; If C were to be paid  
interest by A and B, C would have occupied the  
premises for the 25 years rent free, while A and B  
would have been paying the interest of their capital  
as rent for those 25 years; which would be  
manifestly unjust as C having had the joint use  
and occupation with A and B is equally bound  
to contribute for the joint period.

And with regard to the furniture we consider  
that the original contributions towards it would  
be left out of consideration and that the existing  
value of the whole would be ascertained by  
actual appraisement in its existing state;  
and A, B, and C directed to pay to C <sup>the</sup> their respective  
value or whatever other proportion C had actually  
contributed to its original purchase.

Robert Bateson, Chairman of Committee  
John V. Stewart  
John G. Bowen  
Benjamin G. Kumpfy

Resolved that it appears that the  
number of governors of the Loudenberry asylum  
for the County of Derry is 23.

That the number for Donegal is only 19 and of  
these two are no longer resident in it.

That the number of patients

Summer assizes 1856.

Ordered - That a Committee of the following Gentlemen be appointed to assist and meet the County Surveyor when examining the proposed alterations round Carrorcannon Hill, on the road between Dunfanaghy and Dalcarraugh, -

- Lord George Hill
- A. J. R. Stewart Esq
- Wybrants Olphert Esq
- George Wray Esq
- Rev. C. J. Stewart
- Thomas Olphert Esq

*M. W. B.* and fellows.

East Enniskillen No. 17 and 61.

Ordered - That in future the Instalments of the Contract entered into by Owen Doherty of Lag at Summer assizes 1854 to keep in repair for three years from Summer assizes 1854, - 570 perches of the road from Carndonagh to Moville, between the cross roads at Claggan and the lane from Mr. Mc Connells to the Ice house in Townlands of Braughlen, Golladuff and Ballynally, shall be expended in keeping in repair the new Road from Carndonagh to Moville No. 68, which has been lately made and is now open for Public traffic to which new road the said Contract is now transferred And that the future

Instalments of the Contract entered into by Calwell Lyle Junr. of Tullymore at Summer assizes 1835 to keep in repair for 2 years 505 perches of the same line of Road between Moyglass Bridge and the Cross roads at Claggan shall be in like manner expended on said new road to which it likewise is transferred and that the County Surveyor or his Assistants shall point out to each of said Contractors the parts of said new road to which said Contracts are respectively transferred.

*M. W. B.* and fellows.

Ordered - That the Treasurer do retain in his hands the sum due on the following Resolutions made to John Donnell of Tievebrack and discharged to him at these assizes and that he apply the same to the discharge of such balance as the said John Donnell may owe to him as Collector of the Public money for the Barony of Boylagh - viz -

No 489 -	£ 11. 8
542 -	4. 5. 10
610 -	7. 13. 0
611 -	7. 9. 4
	<u>£ 37. 19. 10</u>

*M. W. B.* and fellows

Ordered - That the Treasurer do take credit for on his accounts and apply to his own use the sum of Four pounds presented to Edward Kern at Summer assizes 1850, at No 172 - Kilmacrenan - same having been paid by the Treasurer to the Contractor long since but by oversight has been permitted to remain on the undischarged Quotations -

*M. W. B.* and fellows

Ordered ~ That inasmuch as a presentment was made at Spring a prizes 1856 - no. 20 to County at Large, to William Rooden of Curin to make certain alterations in the Court house of Letterkenny, and inasmuch as the said William Rooden has not executed the work or any part thereof, that the same be presented to the <sup>Board of Superintendence</sup> County Surveyor to have the work executed - and that the Treasurer be ~~at~~ <sup>liberty</sup> to discharge same on the Certificate of the County Surveyor when the work be completed. Upon Reconsideration of the above it is further Ordered that Mr. Jaeger instead of laying out said sum shall hand over same to the Board of Superintendence who are authorized to make the necessary repairs & expend any further sum which may be required & that the Treasurer do at his own private cost & charge, to the Board, & fellows -

Ordered ~ That in order to make an approach to the Cow market place at Bundoran Mr. Conolly be at liberty to open a passage thereto by taking down a sufficient portion of the County wall for that purpose along the road or street of Bundoran not exceeding in length, twenty five feet, taking care however that the safety of the public be not endangered nor the said Road or street injured thereby -

Ordered ~ That in order to provide accommodation for the two Regiments of Donegal Militia the Board of Superintendence be empowered to engage Quarters for the ~~Donegal~~ Infantry and that Sir James Stewart Bart. be empowered to engage Quarters for the Artillery at Letterkenny or elsewhere as occasion may require -

Ordered ~ That proceedings be taken against John Doyle and his sureties at the next October Sessions, if he has not the work completed on the new line of Road from Letterkenny to Glenies, to the satisfaction of the County Surveyor by the first of October next -

J. M. G. fellows -

Ordered. That the Board of Superintendence <sup>for the same</sup> do provide a new Table and fittings for the Grand Jury room -

J. M. G. fellows -

Ordered that the County Treasurer be directed to proceed against such of the Collectors as have not paid up the balances on foot of their accounts as he may consider necessary

J. M. G. fellows

J. M. G. fellows -

J. M. G. fellows

## Spring assizes 1857.

*County Surveyor  
14 March*  
Ordered - That the County Surveyor is to bring forward at the next Road Sessions to be held in the Barony of Tyrone for completing that part of the Board of Works road leading from Donegal to Stranorlar between the Town of Donegal and Headue Bridge a Map and detailed specification and Estimate of the entire work to be done including Bridges mason work and quantity of material to be put on to open out the whole of the proposed line of road -

*Wm. B.* & fellows -

*last assizes  
on Copy  
14 March*  
Ordered - That the Decrees obtained at the last January Sessions against Richard Mr. Oward of Priesttown and William Regarty of Castlefin (for nonfulfilment of their respective Contracts) be not levied -

*Wm. B.* & fellows -

*last assizes  
14 March*  
Ordered - That the Salaries of the County Surveyor Assistants for the Baronies of Boyleagh and South Raphoe due at these assizes be discharged to William Harte Esq. to pay those Assistants who are entitled to same.

*Wm. B.* & fellows -

Whereas in consequence of the Presentment for £10. 1. 6 made at Spring assizes 1856 to 178 South Raphoe to remunerate William Young Esq. for malicious injuries, not having been levied conformable to the Instructions of the then Grand Jury consequent on difficulties emanating in sub-denominations of Certain Townlands in said order which do not appear in the County Treasurers public Books, We now Order that the said sum be apportioned on the Townlands and subdenominations of Townlands as marked on the back of the Original Presentment and which have since been ascertained namely, Dromore save that part in occupation of the said William Young, Cornasheskin, (subdenomination of Ballyarrale) Rushey Hill, Awengasarragh, Aviltygort, all in the Parish of Donaghmore, And we further order that the persons who may have overpaid any portion of said sum to which they were not liable under the Original Presentment, same be refunded to them -

*Wm. B.* & fellows -

The County Surveyor for the North District of this County having laid before the Grand Jury a list of the names of Contractors who have failed to perform their Contracts and where the roads are in bad order and require immediate attention - We order that the sums so presented to said Contractors be represented to the County Surveyor, to be by him laid out upon the Roads in such manner as he may deem the most judicious & best for the good of the County -

*Wm. B.* & fellows -

9 vic. C. 3; 10 & 11 vic. C. 75 and 16 & 17 vic. C. 136.

Whereas the Commissioners of Public Works in Ireland, did under and by virtue of the above acts make certain Bye Laws, Rules and Regulations to be strictly observed by all persons trading to or using the following Harbours and Piers at the following places in this County viz. Moville, Rathmullan, Portnablahy, Ballynass, Mountcharles, Bruckless, Killybegs, Teelin and Greencastle, AND amongst others that the said Piers and the several Works connected thereto shall be under the Superintendence Control and management of Harbour Constables to be appointed by the Grand Jury of the County of Donegal, AND that such Constables should have power and authority to enforce the Bye Laws and Rules for regulating the said Harbours - NOW we the Grand Jury of the County of Donegal do hereby nominate and appoint the following persons to be Harbour Constables for enforcing the said Bye-Laws Rules and Regulations at the Piers and Harbours above named - viz -

- ✓ Robert Craig for the Pier and Harbour at Moville -
- ✓ John Carson for the like at Rathmullan
- ✓ Thomas Weir for the like at Portnablahy
- ✓ John Brewster Junr for the like at Ballynass.
- ✓ Joseph May for the like at Mountcharles
- ✓ James M<sup>r</sup> Clintock for the like at Bruckless -
- ✓ Patrick Mulreany for the like at Killybegs
- ✓ James Crawford for the like at Teelin &
- ✓ James M<sup>r</sup> Kiunny for the like at Greencastle.

AND that each of the said persons shall receive a salary of Two pounds

for one year from these assizes, to be raised off the County of Donegal at Large by Grand Jury Presentment - AND that this appointment shall continue only for one year.

*Wm. B. & fellows -*

Ordered - That the salary of the Rev<sup>d</sup> G. H. Clarke as Local Inspector of the Gaol and House of Correction be increased by £ Fifty Pounds per annum to compensate him for additional duties imposed upon him in having to visit and inspect the several Bridewells in this County once in every three months.

*Wm. B. & fellows -*

Ordered - That the Treasurer do pay unto John Boyle of Trucklish on the Certificate of the County Surveyor for the North District the sum of £160. 8. 4 being the fourth instalment of £604. 3. 4 - presented to him for making 1209 perches of <sup>new</sup> road from Ramelton to Fannett Light House No. 1348 on present Inquiries -

*Wm. B. & fellows -*

Ordered - That the Treasurer do pay unto Thomas Conahan of Drumatotan on the Certificate of the County Surveyor for the North District the sum of £37. 16. 0 being the 3<sup>rd</sup> Instalment of £189 - presented to him for making 560 perches of new Road from Lifford to Castlefin No. 1547 <sup>present</sup> Inquiries -

*Wm. B. & fellows -*



~~Ordered~~ That the Treasurer pay unto the Comptroller  
of Public Works

Ordered, That the sum of £14. 9. 4 balance  
claimed by the Commissioners of Public Works,  
as due on foot of preliminary Expenses for  
Roads from Gweedore to Dungloe and Dungloe  
~~to Gweedore~~ to Letterkenny and Kilmacrenan  
to Cresslough, be paid out of the Presentment  
no. 1344 Kilmacrenan for £65. 0. 0 on present  
Taxes and the remainder be represented in aid  
of the presentments of the present of sizes with  
the two following sums of £17. 3. 0 and £31. 5.

Wm. J. Mullins