

## Carlow Grand Jury

### Identity Statement

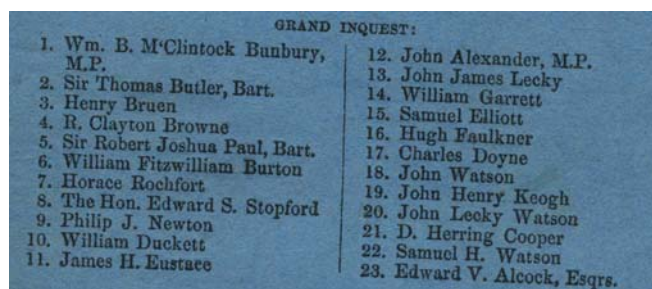
<u>Reference Code</u>	IE CCA GJ
<u>Creation Dates</u>	1786-1895
<u>Level of Description</u>	Fonds
<u>Extent</u>	102 items

### Context

#### Administrative History

The grand jury system, a form of local government, was in operation from the 17<sup>th</sup> century (if not earlier) to the end of the 19<sup>th</sup> century. There were forty grand juries in Ireland, one in each county and a further eight in the urban counties of Dublin, Cork, Waterford, Limerick, Kilkenny, Galway, Drogheda and Carrickfergus. In 1838, a further grand jury was created when County Tipperary was divided into two ridings for administrative purposes, each riding having its own grand jury.

Initially, the grand jury was concerned with the administration of justice. Judges visited each county twice yearly and held court sittings (known as assizes) with the aid of grand juries. Grand juries originally comprised ten members but this was later increased to twenty-three. The jurors were mostly landowners and were chosen by the high sheriffs.



Names of grand jurors at summer assizes, 1860.  
Extract from document GJ/2/3.

By the early 19<sup>th</sup> century, the grand jury had been assigned a range of other functions and it was by then the most important local body in rural Ireland. Functions included the provision and repair of roads and bridges; and the construction and maintenance of dispensaries, county infirmaries, lunatic asylums, courthouses and gaols. Works undertaken by the grand jury were funded by a local rate or tax called the county cess paid by land occupiers.

Proposed works were discussed at presentment sessions. There were two types of presentment sessions (1) **county at large** which dealt with expenditure for the whole county and the barony in which the courthouse was situated. In addition to justices of the peace, one cesspayer nominated by each baronial session was on the county body (2) **baronial** which dealt with expenditure to be levied on discrete baronies. These presentment sessions

were conducted by justices of the peace, and from 1833 included five to twelve cesspayers.

The grand jury met twice yearly at the spring and summer assizes to ratify decisions taken at presentment sessions.

50		BARONY OF CARLOW.		51	
No.		£	s.	d.	
Expires Summer Assizes, 1861.					
120	To John Brien, to keep in repair 394 perches of the road from Carlow to Newtownbarry, between Bullock Park cross roads and Ballinacarrig cross roads, metalling 66 cubic yards, half a year, due spring assizes, 1861, at 6d. per perch ...	4	18	6	
<i>6 &amp; 7 Wm. 4, cap. 116, sec. 52.</i>					
Expire Summer Assizes, 1864.					
121	To John Kennedy, to keep in repair 192 perches of the road from Carlow to Castledermot, between the railway bridge over the Green-lane and the Castledermot new road at Patrick Kelly's house, metalling 48 cubic yards, half a year, due spring assizes, 1861, at 8d. per perch—same act ...	3	4	0	
122	To John Sheppard, to keep in repair 459 perches of the road from Newtownbarry to Athy, between Mr. Hanlon's orchard in Grangeford and Friarstown cross roads, metalling 64 cubic yards, half a year, due spring assizes, 1861, at 6d. per perch—same act ...	5	14	9	
123	To John Kennedy, to keep in repair 342 perches of the road from Carlow to Baltinglass, between the				
BARONY OF CARLOW.					
No.		£	s.	d.	
	corner of the Green-lane at Tullow-street, and Pollerton cross roads, near John Broderick's house, and between the Staplestown road near the railway bridge and the Green-lane railway bridge, metalling 171 cubic yards, half a year, due spring assizes, 1861, at 9d. per perch ...	6	8	3	
<i>6 and 7 William 4, c. 116. s. 52.</i>					
124	To Patrick Hickey, to keep in repair 1212 perches of the road from Carlow to Tullow, between the county bounds at Knocknagee and Russelstown cross roads, and between Ashlane cross roads and Ballinakilbeg cross roads, metalling 200 cubic yards, half a year, due spring assizes, 1861, at 8d. per perch—same act ...	20	4	0	
125	To Patrick Regan, to keep in repair 614 perches of the road from Tullow to Castledermot, between Garryhundred gate and Milford bridge, metalling 272 cubic yards, half a year, due spring assizes, 1861, at 1s. 3d. per perch—same act ...	19	3	9	
126	To Thomas Gregan, to keep in repair 683 perches of the road from Tullow to Bagenalstown, between Staplestown Church gate and Ballybar cross roads, at L. Hall's house,				

Details of the some works approved at summer assizes, 1860. Extract from document GJ/2/8.

For several reasons, there was widespread complaint about the grand jury system:

- It offended the principle of 'no taxation without representation' as cesspayers were land occupiers rather than landowners, and it was the latter who mainly served as grand jury members
- Catholics, who comprised the majority of the population, were prohibited from serving on grand juries until 1793 and subsequent to this, continued in the minority on jury lists. This was partly due to property ownership being concentrated in Protestant hands
- It is generally considered that over the years the system became corrupt and that grand jurors organised works to benefit themselves or acquaintances. Also, anyone wishing to make or repair a road simply created a certificate stating the necessity of the work and the estimated cost, attested by two persons before a justice of the peace, and submitted it for consideration at a presentment session. Pressure of business was sometimes so great that grand jurors were able to devote only a few minutes to each presentment. Few checks were made to ensure satisfactory completion of works.

The grand jury system was subject to numerous parliamentary investigations and some reforms were implemented. The creation of the office of county

surveyor in 1817 brought a degree of control into the making of presentments. Reforms culminated in the introduction of the Grand Jury (Ireland) Act, 1836. It gave cesspayers a limited role in deciding how local taxes should be spent but the system never lost its reputation for corruption and partiality. Moreover, the first Land Act, 1870, relieved small tenants of the burden of paying the county cess. Under all tenancy agreements entered into after the enactment of this legislation, tenants were entitled to deduct half of the cess owing on the land from their rent where their holding was valued at more than £4. Where the holding was worth less than £4, the entire sum could be deducted from the rent or was to be paid by the landlord.

Most of the functions of grand juries were taken over by the local authorities created under the Local Government (Ireland) Act, 1898, namely, county councils, rural district council and urban district councils.

### Bibliography

Crossman, Virginia. *Local Government in Nineteenth Century Ireland* (Institute of Irish Studies for Queen's University Belfast for the Ulster Society of Irish Historical Studies, 1994)

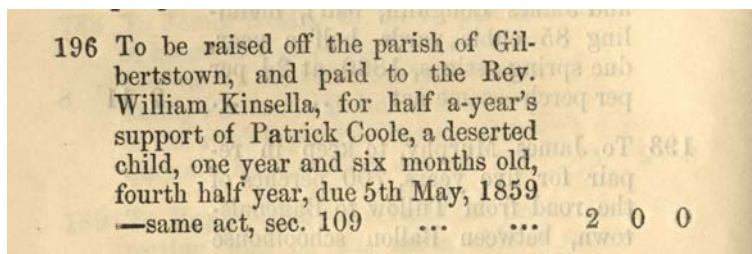
Murphy, Michael et al. *Grand Jury Rooms to Aras an Chontae: Local Government in Offaly* (Ireland: Offaly County Council, 2003)

## **Content & Structure**

### Scope & Content

Most of the documents in this collection pertain to proposals for works put before presentment sessions and subsequent contracts.

The Schedules and Abstracts enumerated below contain a wealth of similar information, for instance, the names and salaries of officials in the employment of the grand jury eg county surveyor; county treasurer; inspector of weights and measures; courthouse keeper; surgeon at the county infirmary etc; resolutions of the grand jury ie policies they have adopted eg approach to the support of deserted children. The names of deserted children are frequently given in the records; expenses of Carlow Gaol.



Financial support for deserted child granted at summer assizes, 1859.  
Extract from GJ/2/6.

### Arrangement

For the most part, documents have been arranged thematically;

- Schedules of sums applied for and applications for public works (county at large)

- Abstracts of presentments (county at large)
- Barony-specific presentment books
- Contract account books
- Bank lodgement books
- Certificates of performance record books
- Funding applications
- Contractors' books
- Miscellaneous documents (includes several items regarding the building of Carlow Courthouse)

## **Conditions of Access & Use**

### Access Conditions

Available for research by appointment with the Archivist.

### Conditions Governing Reproduction

Bound volumes may not be photocopied but digital photography is generally permissible.

### Languages

English

### Related Material

Carlow Grand Jury commissioned the building of Carlow Courthouse circa 1828. Architectural drawings for Carlow Courthouse by William Vitruvius Morrison (1794-1838) were purchased at auction and have been catalogued as part of a discrete collection (document code P2/48). Scanned copies of these drawings are available on our website.

### Date of description

16 May 2011

## **Catalogue**

### **Schedules of sums applied for and applications for public works (county at large)**

Information recorded includes:

- Details of works in each barony and associated costs
- Salaries of named employees of the grand jury
- Costs associated with Carlow gaol
- Other costs, for example, superannuation of former employees and buildings maintenance
- Resolutions of the grand jury

<b>Document code</b>	<b>Date</b>	<b>Description</b>	<b>Extent</b>
GJ/1/1	1852	Spring Assizes	2 copies
GJ/1/2	1852	Summer Assizes	1 item

GJ/1/3	1852-1855	Bound volume containing schedules of sums applied for previous to Assizes	1 item
GJ/1/4	1854	Summer Assizes	1 item
GJ/1/5	1856	Spring Assizes	1 item
GJ/1/6	1858-1859	Bound volume containing schedules of sums applied for previous to Assizes	1 item
GJ/1/7	1857	Spring Assizes	1 item
GJ/1/8	1859	Spring Assizes	1 item
GJ/1/9	1860	Spring Assizes	1 item
GJ/1/10	1860-1862	Bound volume containing schedules of sums applied for previous to Assizes	1 item
GJ/1/11	1863-1865	Bound volume containing schedules of sums applied for previous to Assizes	1 item
GJ/1/12	1865	Summer Assizes	1 item
GJ/1/13	1866-1868	Bound volume containing schedules of sums applied for previous to Assizes	1 item
GJ/1/14	1869-1879	Bound volume containing schedules of sums applied for previous to Assizes	1 item
GJ/1/15	1880-1886	Bound volume containing schedules of sums applied for previous to Assizes	1 item
GJ/1/16	1880	Summer Assizes	1 item
GJ/1/17	1881	Spring Assizes	1 item
GJ/1/18	1882	Summer Assizes	1 item

### Abstracts of presentments (county at large)

The information recorded in the Abstracts is very similar to that recorded in the Schedules described above.

Document code	Date	Description	Extent
GJ/2/1	1809	Lent Assizes	1 item
GJ/2/2	1850		1 item
GJ/2/3	22 July 1856		1 item
GJ/2/4	23 July 1857		1 item
GJ/2/5	4 March 1859		1 item
GJ/2/6	29 July 1859		1 item
GJ/2/7	10 March 1860		3 copies
GJ/2/8	20 July 1860		2 copies
GJ/2/9	7 March 1862		1 item
GJ/2/10	24 March 1864		2 copies
GJ/2/11	17 March 1865		3 copies
GJ/2/12	27 July 1865		1 item
GJ/2/13	10 July 1868		1 item
GJ/2/14	12 March 1869		2 copies
GJ/2/15	18 July 1870		1 item
GJ/2/16	1871-1872	Abstract for presentment session held on 14 July 1871. Inserted in it is Schedule of sums applied for previous to	1 item

		Spring Assizes, 1872.	
GJ/2/17	14 March 1872		1 item
GJ/2/18	10 March 1873		2 copies
GJ/2/19	1873	Abstract for presentment session held on 24 July 1873. Inserted in it is Schedule of sums applied for previous to Summer Assizes, 1873.	1 item
GJ/2/20	1874-1875	Abstract for presentment session held on 15 July 1874. Inserted in it is Schedule of sums applied for previous to Spring Assizes, 1875.	1 item
GJ/2/21	1875	Abstract for presentment session held on 12 March 1875. Inserted in it is Schedule of sums applied for at Summer Assizes, 1875.	1 item
GJ/2/22	1877	Two copies of Abstract for presentment session held on 12 March 1877. Inserted in one is Schedule of sums applied for previous to Spring Assizes, 1877.	2 copies
GJ/2/23	1877	Abstract for presentment session held on 12 July 1877. Inserted in it is Schedule of sums applied for previous to Summer Assizes, 1877.	1 item
GJ/2/24	18 July 1878		5 copies
GJ/2/25	16 July 1879		3 copies
GJ/2/26	15 July 1880		2 copies
GJ/2/27	16 March 1881		1 item
GJ/2/28	13 July 1881		2 copies
GJ/2/29	16 March 1882		4 copies
GJ/2/30	12 July 1882		2 copies
GJ/2/31	14 March 1883		1 item
GJ/2/32	13 March 1884		2 copies
GJ/2/33	16 July 1884		2 copies
GJ/2/34	1887-1888		1 item
GJ/2/35	1889		1 item
GJ/2/36	1891-1893		1 item
GJ/2/37	1894		1 item
GJ/2/38	1895		1 item

### Barony-specific presentment books

Presentment books detail contracts approved at assizes. They generally refer to road works and give the names of contractors and the location and extent

of road they are to maintain. These presentment books refer to discrete baronies rather than the entire county (or county at large).

Document code	Date	Description
GJ/3/1	Spring Assizes 1857-Summer Assizes 1866	Barony of Carlow
GJ/3/2	Spring Assizes 1858-Spring Assizes 1868	Barony of Saint Mullins Lower
GJ/3/3	Summer Assizes 1860-Summer Assizes 1867	Barony of Idrone East
GJ/3/4	Spring Assizes 1862-Summer Assizes 1869	Barony of Forth
GJ/3/5	Spring Assizes 1865-Spring Assizes 1869	Barony of Saint Mullins Upper

### Contract account books

These volumes contain details of payments made to contractors appointed by the grand jury to carry out works eg upkeep of stretch of road. Details recorded include name of contractor, length of contract and extent of road.

Document code	Date	Description
GJ/4/1	1846-1853	Barony of Forth
GJ/4/2	1836-1850	Barony of Rathvilly
GJ/4/3	1836-1853	Barony of Idrone East
GJ/4/4	1849-1853	Barony of Rathvilly

### Bank lodgement books

Document code	Date	Description
GJ/5/1	23 May 1889-4 June 1891	Lodgement book for the Bank of Ireland in account with the Treasurer of the county
GJ/5/2	28 November 1889-27 October 1890	Lodgement book for the Bank of Ireland in account with the Treasurer of the county

### Certificates of performance record books

These record books contain certificates signed by John Bower, County Surveyor, that named contractors have satisfactorily performed their contracts with the grand jury. Specifies sums of money to be paid to contractors. Payment was made either by named baronies or the county at large.

Document code	Dates	Description
GJ/6/1	9 March 1861	Spring Assizes 1861 – baronies of Rathvilly, Forth and Upper Saint

		Mullins
GJ/6/2	9 March 1861	Spring Assizes 1861 – baronies of Idrone West and Carlow and the county at large
GJ/6/3	9 March 1861	Spring Assizes 1861 – barony of Lower Saint Mullins and Idrone East
GJ/6/4	17 July 1861	Summer Assizes 1861 – barony of Carlow and county at large
GJ/6/5	1 March 1862	Spring Assizes 1862 – baronies of Idrone West and Carlow and county at large
GJ/6/6	22 July 1865	Summer Assizes 1865 – baronies of Rathvilly and Forth and county at large
GJ/6/7	22 July 1865	Summer Assizes 1865 – baronies of Idrone West and Carlow
GJ/6/8	7 March 1867	Spring Assizes 1867 – baronies of Idrone East, Idrone West and Carlow
GJ/6/9	10 March 1870	Spring Assizes 1870 – baronies of Rathvilly and Forth
GJ/6/10	10 March 1870	Spring Assizes 1870 – baronies of Idrone East and Saint Mullins Lower
GJ/6/11	10 March 1870	Spring Assizes 1870 – baronies of Carlow and Idrone West
GJ/6/12	14 July 1870	Summer Assizes 1870 – baronies of Saint Mullins and Idrone East
GJ/6/13	10 July 1871	Summer Assizes 1871 – baronies of Forth, Idrone East and Lower Saint Mullins
GJ/6/14	10 July 1871	Summer Assizes 1871 – baronies of Idrone West and Carlow
GJ/6/15	10 July 1871	Summer Assizes 1871 – barony of Rathvilly and county at large
GJ/6/16	11 March 1872	Spring Assizes 1872 – baronies of Rathvilly and

		Forth and county at large
GJ/6/17	11 March 1872	Spring Assizes 1872 – baronies of Idrone West and Carlow

### Funding applications

Document code	Dates	Description	Extent
GJ/7/1	17 April 1866- 20 November 1866	File containing applications for funding to Carlow Grand Jury for various civil works, for example, keeping roads in repair, building a bridge or sewer, making a footpath etc. Details recorded include the nature of the works, cost not to be exceeded and whether the cost is to be charged on an individual barony or the county at large.	33 items
GJ/7/2	30 November 1866-12 December 1866	File containing applications by the County Surveyor for presentments for various civil works. Details recorded are similar to those described for GJ/7/1 above.	50 items

### Contractors' books

These volumes contain information relating to contracts for the upkeep of roads granted by the Grand Jury to contractors. The information recorded is name of contractor, location of road to be maintained, number of perches, rate per perch, annual amount of contract, what period contract covers, date of contract, average metalling (this refers to the paving or surfacing of a road with broken stones) per perch and observations. Information is mostly recorded alphabetically according to name of contractor.

Document code	Dates	Description
GJ/8/1	Summer Assizes 1833- Summer Assizes 1855	Barony of Carlow
GJ/8/2	Spring Assizes 1836- Summer Assizes 1855	Barony of Idrone East
GJ/8/3	Spring Assizes 1836- Summer Assizes 1845	County at large
GJ/8/4	Summer Assizes 1832-	Barony of Idrone West

	Summer Assizes 1855	
GJ/8/5	Spring Assizes 1836- Summer Assizes 1853	Barony of St Mullins

### Miscellaneous Documents

<b>Document code</b>	GJ/9/1
<b>Date</b>	c. summer 1895
<b>Description</b>	Document giving details of persons on the common jury panel for the Carlow Summer Assizes, 1895. It names 92 persons and gives the following information regarding each: address, occupation and date of last service as juror.
<b>Size</b>	1 item

<b>Document code</b>	GJ/9/2
<b>Date</b>	c May 1891
<b>Description</b>	List of applications for road and bridge works in the barony of Idrone West lodged with the Secretary to the Grand Jury and to be laid before presentment sessions to be held at Leighlinbridge on 12 May 1891.
<b>Size</b>	1 item

<b>Document code</b>	GJ/9/3
<b>Date</b>	c May 1892
<b>Description</b>	List of applications for road and bridge works in the barony of Idrone West lodged with the Secretary to the Grand Jury and to be laid before presentment sessions to be held at Leighlinbridge on 13 May 1892.
<b>Size</b>	1 item

<b>Document code</b>	GJ/9/4
<b>Date</b>	c May 1892
<b>Description</b>	Notice inviting tenders and proposals for various works in the barony of Idrone West. Tenders and proposals will be opened and decided on at an adjourned presentment session to be held at Leighlinbridge on 7 June 1892.
<b>Size</b>	1 item

<b>Document code</b>	GJ/9/5
<b>Date</b>	c 9-12 March 1849
<b>Description</b>	A return of one hundred persons who paid the highest sums for county cess, in the barony of Rathvilly, under the last applotment. Prepared by Joseph Malone, High Constable for the Barony of Rathvilly. Details recorded regarding cesspayers are: name, address and amount paid.
<b>Size</b>	3pp

<b>Document code</b>	GJ/9/6
<b>Date</b>	c 14 September 1786
<b>Description</b>	Document detailing the names and addresses of persons on the Grand Jury panel for the Carlow Summer Assizes, 1786. The names of the 23 persons chosen to serve as jurors are indicated.
<b>Size</b>	1 item

<b>Document code</b>	GJ/9/7
<b>Date</b>	21 August 1828
<b>Description</b>	Contract made between Arthur Williams and William Cockburne, city of Dublin, builders, of one part, and Henry Bruen, Oakpark, county Carlow, esquire, and others, appointed by Carlow Grand Jury as overseers for the purpose of spending sum of £5,000 for the erection of courthouse in Carlow town. Incorporates specification of works.
<b>Size</b>	5 membranes

<b>Document code</b>	GJ/9/8
<b>Date</b>	1 December 1849
<b>Description</b>	Precept issued by three of the Commissioners for the building of Carlow Courthouse to the Sheriff, county Carlow. Directs him to empanel a jury for the purpose of deciding the value of lands. Annotation on verso by Henry Faulkner, Sheriff: 'The Execution of the Within Precept appears by a Certain Panel hereunto [answered].'
<b>Size</b>	1 membrane

<b>Document code</b>	GJ/9/9
<b>Date</b>	20 July 1832
<b>Description</b>	Articles of agreement made between: <ul style="list-style-type: none"> <li>(1) Arthur Williams and Gilbert Cockburne, city of Dublin, builders</li> <li>(2) William George Eades, Johnston's place, city of Dublin, merchant, and Thomas Baker, Buckingham street, city of Dublin, esquire</li> <li>(3) Henry Bruen, Oakpark, county Carlow, and others, appointed as overseers by Carlow Grand Jury for the purpose of spending £5,000 for the erection of Carlow Courthouse</li> </ul> The parties of the first part agree to provide timber, stone and all other materials necessary to roof the polygonal wings of Carlow Courthouse.
<b>Size</b>	1 membrane

<b>Document code</b>	GJ/9/10
<b>Date</b>	30 November 1866-12 December 1866

<b>Description</b>	File of notices issued by the Chairman of presentment sessions for various baronies announcing the final date for lodging proposals with the Secretary to the Grand Jury.
<b>Size</b>	5 items

<b>Document code</b>	GJ/9/11
<b>Date</b>	July 1866
<b>Description</b>	Receipts book for payment of county cess in the parish of Carlow, barony of Carlow, in respect of the Summer Assizes, 1866.
<b>Size</b>	1 item