ANNO SEXTO

# GULIELMI IV. REGIS.

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## C A P. XIII.

## An Act to consolidate the Laws relating to the Constabulary Force in *Ireland*.

[20th *May* 1836.]

WHEREAS it is expedient to consolidate and amend the Acts for the Appointment of Constables and of Magistrates in *Ireland* in certain Cases; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the following Acts and Parts of Acts, (that is to say,) an Act passed in the Fifty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to provide for the better Execution of the Laws in* Ireland *by appointing superintending Magistrates and additional Constables in certain Cases*, except so far as the said Act enables the Lord Lieutenant to change the Districts for holding Civil Bill Courts in Counties; an Act passed in the Fifty-fifth Year of the Reign of His said late Majesty King *George* the Third, to amend the said Act; and another Act passed in the Fifty-fifth Year of His said late Majesty, intituled *An Act to enable Grand Juries to present additional Sums for Constables in* Ireland, *and for the secure Conveyance of Prisoners*, except so much of the said last-mentioned Act as relates to the Expences of removing transported Felons, and of the conveying Persons charged with Treason or Felony to Gaol; an Act passed in the

Repeal of Part of 54 G. 3. c. 131.

55 G. 3. c. 13.

Part of 55 G. 3. c. 158.

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57 G. 3. c. 22. Part of 59 G. 3. c. 92. 3 G. 4. c. 103. 5 G. 4. c. 28. and 9 G. 4. c. 63.

Fifty-seventh Year of the Reign of His said late Majesty, to amend the said Two first-mentioned Acts of the Fifty-fourth and Fifty-fifth Years of His said late Majesty's Reign; so much of an Act passed in the Fifty-ninth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to enable Justices of the Peace in* Ireland *to act as such in certain Cases out of the Limits of the Counties in which they actually are; to make Provision for the Execution of Warrants of Distress granted by them, and to authorize them to impose Fines upon Constables and other Officers for Neglect of Duty, and on Masters for Ill-usage of their Apprentices,* as enables Justices to impose Fines upon Constables; an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Appointment of Constables, and to secure the effectual Performance of the Duties of their Office, and for the Appointment of Magistrates, in* Ireland, *in certain Cases;* an Act passed in the Fifth Year of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act to amend an Act of the Third Year of His present Majesty's Reign, for the Appointment of Constables in* Ireland; an Act passed in the Ninth Year of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act to amend Two Acts of the Third and Fifth Years of His present Majesty, for the Appointment of Constables in* Ireland, shall be and the same are hereby repealed, save so far as the said Acts or any of them repeal any other Act, and save so far as herein to the contrary provided, and also save with respect to the Superannuation Allowances granted at any Time before the passing of this Act to any Chief or other Constables appointed under the said Acts or any of them, and save and except as to any Act, Matter, or Thing which may have been previously done in the Exercise of the Powers, Duties, Authorities, and Functions given by the said Acts or any of them; every which Act, Matter, and Thing shall be and remain valid and effectual to all Intents and Purposes as if this Act had not passed.

Existing Magistrates, Inspectors, Constables, &c. to continue until it is notified in the Dublin Gazette that a Constabulary Force is fully organized according to this Act;

II. Provided always, and be it enacted, That the Magistrates, Inspectors, Superintendents, Clerks, Chief and other Constables, Sub-Constables, Officers, and other Persons heretofore appointed, or acting under the said herein-before recited Acts or any of them, in any County, County of a City, or County of a Town, Barony, or other District, shall and they are hereby respectively authorized and required, notwithstanding the passing of this Act, to continue to discharge and execute their several Duties and Offices, with the like Powers, Privileges, and Authorities, and subject to the like Obligations, Restrictions, Liabilities, Directions, and Regulations, as heretofore, until it shall be notified, by a Notice to be inserted in the *Dublin Gazette* by the Inspector General to be appointed under this Act, that the Constabulary Force for such County, County of a City, or County of a Town is fully organized according to the Provisions of this Act; and upon such Notification the Appointments and Offices of all such Magistrates, Inspectors, and Superintendents, Clerks, Chief and other Constables, Sub-Constables, and Officers, and other Persons, within each such County and Place respectively, shall become and be void, and they shall severally discontinue acting under the said recited Acts; and all the Houses, Outhouses, Appurtenances, Furniture, Horses,

upon such Notification their Appointments to cease, and the Houses, Furniture, Horses,

Horses, Arms, Accoutrements, Saddles, Bridles, Clothing, Books, Papers, and Appointments, Articles and Things whatever, rented, held, or provided for their Use respectively under the said recited Acts or any of them, shall be applied, transferred, employed, and converted to the Use and Accommodation of the Constabulary Force so organized, and the Right, Property, and Interest therein shall immediately upon such Notification vest in the Receiver for the Constabulary Force of *Ireland* to be appointed under this Act.

Arms, &c. to be transferred to the new Force.

III. Provided always, and be it enacted, That all Chief and other Constables and Sub-Constables who shall so discontinue acting under the said recited Acts shall thenceforward severally act under this Act in the several Offices held by them respectively under the said recited Acts, without any further or other Appointment thereto, until the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall otherwise direct.

Constables to hold the same Offices under this Act as formerly, until otherwise directed;

IV. Provided further, and be it enacted, That every such Chief and other Constable and Sub-Constable appointed under the said recited Acts, and continuing to act under this Act as aforesaid, shall, within One Month from the making of the Notification aforesaid, take and subscribe the Oath herein-after mentioned in manner herein-after mentioned, and shall obtain and forward such Certificate thereof as is herein-after required, or in default of his or their so doing the Person or Persons who shall so make default shall at the Expiration of the said Period of One Month cease to hold his or their Offices.

and to take the Oath herein mentioned, or, in default, to cease to act.

V. And be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by Warrant under his or their Hands, to nominate and appoint One fit and proper Person to be Inspector General of Police throughout *Ireland*, who shall reside in *Dublin*, and shall be charged and invested with the general Direction and Superintendence of the Force to be established under this Act, and to appoint from Time to Time, when and as he or they may think necessary, One or Two fit and proper Persons to be Deputies to the said Inspector General, and to appoint any fit and proper Persons to be Clerks in the Office of such Inspector General; and every such Inspector General and Deputy Inspector General shall, on his Appointment to such Office, forthwith take before any Two Magistrates the Oaths by Law required to be taken by Justices of the Peace in *Ireland*, and also the Oath herein-after contained, and shall thereupon be and become, without further Qualification or Appointment, and continue so long as he shall hold the said Office, but no longer, a Justice of the Peace for every County, County of a City, County of a Town, and Town and Liberties in *Ireland*.

Power to the Lord Lieutenant to appoint an Inspector General and One or Two Deputy Inspectors.

VI. And in order to provide for one uniform System of Rules and Regulations throughout the whole Establishment of Police in *Ireland*, be it enacted, That it shall and may be lawful for such Inspector General, with the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time to frame (subject to such Regulations as the Lord High Treasurer or Lords Commis-

Power to Lord Lieutenant to make Rules.

Commissioners of the Treasury, or any Three or more of them, may from Time to Time establish in respect of the particular Fiscal Duties to be discharged by the Receiver and Paymasters to be appointed under this Act) Rules, Orders, and Regulations for the general Government of the several Persons to be appointed under this Act, as well with respect to the Places of their Residence, their Classification, Rank, and particular Services, their Distribution and Inspection, as to the Description of the Arms, Accoutrements, and other Necessaries to be furnished to them, and which of them shall be supplied with Horses, and all such other Rules, Orders, and Regulations relative to the said Police Force as may be necessary for the Purpose of preventing Neglect or Abuse, and for rendering the said Force efficient for the Discharge of the several Duties thereof.

Power to Lord Lieutenant to appoint County Inspectors.

VII. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* in like Manner from Time to Time to appoint Four Persons to be County Inspectors of Police; and each such County Inspector shall be charged and invested with the general Government, Direction, and Superintendence of the Police Force to be established within such Number of Counties as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* may direct, and within any and every County of a City, County of a Town, and Town and Liberties locally situate within such Counties (except the County of the City of *Dublin*); and each such County Inspector shall, on his Appointment to such Office, forthwith take the Oaths by Law required, in such Manner as by Law prescribed to be taken by Justices of the Peace in *Ireland*, and the Oath herein-after provided, and shall thereupon be and become, without further Qualification or Appointment, a Justice of the Peace in and for the Counties, and in and for each County, County of a City, and County of a Town, Town and Liberties, adjoining to or locally situate within the Counties for which he shall be appointed Inspector, so long as he shall hold the said Office, but no longer.

Power to Lord Lieutenant to appoint Paymasters, Storekeepers, and Clerks.

VIII. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by Warrant under his or their Hand or Hands, to nominate and appoint Eighteen Persons to be Paymasters, Storekeepers, and Clerks; and every such Paymaster shall, before entering upon the Duties of his Office, give Security to His Majesty in a Bond with Two Sureties in such Sum as the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* shall direct, such Bond to be conditional for the faithful accounting and due Application of all Monies which shall come to his Hands, and for the due and faithful Execution of all other Duties of his Office.

Power to Lord Lieutenant to appoint Sub-Inspectors.

IX. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by Warrant, in like Manner from Time to Time to nominate and appoint, in and for each of the said Counties of *Cork*, *Tipperary*, and *Galway*, any Number not exceeding Two fit and proper Persons to be Sub-Inspectors of Police to act for such Districts as may be assigned to them respectively

respectively in aid of the County Inspectors, and under and subject to their Direction and Control, and in like Manner to appoint in and for any and every other County One Sub-Inspector to act for such County, and in and for each County of a City and County of a Town adjoining to or locally situate within the County for which he shall be so appointed, in aid of and under the like Direction and Control of the Inspector thereof; and each such Sub-Inspector shall on his Appointment forthwith take the Oaths herein-after prescribed, and shall thereupon be and become invested with all such Power and Authority for the Preservation of the Peace and the Apprehension of Offenders as may belong to any Chief or other Constable appointed under this Act, so long as he shall hold such Office, but no longer.

Power to Lord Lieutenant to remove Inspectors General, &c.

X. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* from Time to Time, as he or they shall think fit, to remove any Inspector General, Deputy Inspector General, County Inspector, Sub-Inspector, Paymaster, or Clerk who may be appointed under this Act, and upon any Vacancy in any of the said Offices or Appointments by Death, Removal, Disability, or otherwise, to nominate and appoint some other fit and proper Person to fill the same.

Lord Lieutenant may appoint Chief and other Constables, not exceeding the Numbers herein mentioned.

XI. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint from Time to Time at his Will and Pleasure, in and for each County of a City and County of a Town, except the said County of the City of *Dublin*, One Chief Constable, Two Head Constables, and any such Number of Constables and Sub-Constables, not exceeding One hundred, as may be deemed by him or them to be necessary and sufficient for the Preservation of the Peace therein, and in and for each Barony, Half Barony, or other Division of Barony in each County at large, One Chief Constable, Two Head Constables, and any Number of Constables and Sub-Constables, not exceeding Sixteen, and from Time to Time, as to him or them shall seem fit, to dismiss any such Chief or other Constable or Sub-Constable, and upon any Vacancy in any of the said Offices by Death, Removal, or otherwise, to appoint some other fit and able Person to fill the same; and all such Chief and other Constables and Sub-Constables shall have all such Powers, Authorities, Privileges, and Advantages, and be liable to all such Duties and Responsibilities, as any Constable duly appointed now has or hereafter may have, either by the Common Law or by virtue of any Statute now or hereafter to be in force in *Ireland:* Provided always, that in every Case in which the Lord Lieutenant or other Chief Governor or Governors of *Ireland* has or have before the passing of this Act, by the Advice of the Privy Council of *Ireland*, declared by Proclamation any County, or County of a City, or County of a Town, or Barony, or Half Barony, or other Division of Barony, or any District, to be in a State of Disturbance, and has or have thereupon appointed an extraordinary Establishment of Police for the same, and in every Case in which the Magistrates of any County have in manner required by Law certified the Number of Constables appointed for such County, or any Barony or Half Barony

This Act not to prevent the Appointment, &c. of additional Constables in Places already declared to be in a disturbed State.

or other Division of Barony, or any District, to be inadequate to the Preservation of the Peace within the same, and the Lord Lieutenant or other Chief Governor or Governors of *Ireland* has or have thereupon directed the Appointment of the additional Number of Constables so certified to be necessary, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, without any further or renewed Proclamation as aforesaid, and without any further or renewed Certificate as aforesaid, to retain and employ in every such County, County of a City, County of a Town, Barony, Half Barony, or other Division of Barony, and District, such Number of Constables as may be appointed for the same respectively at the Time of the passing of this Act, and to reduce such Number from Time to Time as he or they may think fit, in the same Manner as he or they might have done if this Act had not been passed.

**Power to Lord Lieutenant to appoint an additional Number of Constables on Certification by Magistrates of the Necessity thereof.**

XII. Provided always, and be it enacted, That in any Case in which Seven or more Magistrates of any County at large, at any General or Special Sessions, held after Notice given by the Clerk of the Peace, being a Majority of the Magistrates then present, shall certify to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, that the Number of Chief or other Constables or Sub-Constables so appointed for any such County is inadequate to the due Execution of the Law within the same, it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint such further Number of Chief and other Constables and Sub-Constables for such County as may be so certified to be necessary, and to remove such Chief and other Constables and Sub-Constables from Time to Time.

**Power to Lord Lieutenant to appoint additional Constables for any Part of Ireland declared by Proclamation to be in a disturbed State.**

XIII. And be it enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by the Advice of the Privy Council of *Ireland*, to declare by Proclamation that any County, County of a City, or County of a Town in *Ireland*, or any Barony or Baronies, Half Barony or Half Baronies in any County at large, or any District of less Extent than any Barony or Half Barony, to be therein specified, is or are in a State of Disturbance, and requires or require an additional Establishment of Police; and thereupon it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint such and so many Chief Constables, Constables, and Sub-Constables as he or they shall think proper, not exceeding One such Chief Constable, Two Head Constables, and Fifty such Constables or Sub-Constables for any One Barony or Half Barony, or for any County of a City or County of a Town or District of less Extent than any Barony or Half Barony, which may have been so declared to be in a State of Disturbance.

**Qualifications and Disqualifications for Constables.**

XIV. And be it enacted, That no Person shall be appointed to be a Chief or other Constable or Sub-Constable under this Act unless he shall be of a sound Constitution, able-bodied, and under the Age of Forty Years, able to read and write, of a good Character for Honesty, Fidelity, and Activity; and that no Person shall be appointed to be such Chief or other Constable or Sub-Constable who shall be a Gamekeeper, Wood-ranger, Tithe Proctor, Viewer of Tithes, Bailiff, Sheriff's

Bailiff, or Parish Clerk, or who shall be a hired Servant in the Employment of any Person whomsoever, or who shall keep any House for the Sale of Beer, Wine, or Spirituous Liquors by Retail; and that if any Person who shall be appointed to be a Chief or other Constable or Sub-Constable under this Act shall at any Time after such his Appointment be or become a Game-keeper, Wood-ranger, Tithe Proctor, Viewer of Tithes, Bailiff, Sheriff's Bailiff, or Parish Clerk, or a hired Servant, or shall act in any of the said Capacities, or shall sell any Beer, Wine, or Spirituous Liquors by Retail, such Person shall be and become disabled from and incapable of acting, and shall forfeit his Appointment as Constable, and all Authority and Privilege, and all Salary and Gratuity payable to him as a Chief or other Constable or Sub-Constable under this Act.

Constables to attend Magistrates, and execute their Warrants.

XV. And be it enacted, That every Chief Constable, Head Constable, Constable, and Sub-Constable to be appointed under this Act shall, when not engaged on actual Duty, attend on the Justices of the Peace at their several General or Quarter Sessions, and also at their Petty Sessions, which shall be held at the respective Places where such Chief or other Constable or Sub-Constable may be stationed, and shall obey and execute all the lawful Warrants, Orders, and Commands of such Justices at such Sessions in all Cases, Civil and Criminal: Provided always, that no Chief or other Constable or Sub-Constable shall be employed under such Authority to levy Tithes or Tithe Composition, or to levy Rents by Distress, or to levy Fines or Penalties under any Act or Acts relating to the Revenue in *Ireland*, nor to enforce any Acts relating to the Laws for the Preservation of Game or Fish, except only in Cases where forcible Resistance shall have been actually made and proved by Information taken on Oath.

Constables to execute all Processes to them directed.

XVI. And be it enacted, That, except as aforesaid, every Chief Constable, Head Constable, Constable, and Sub-Constable, appointed under this Act, shall within his Jurisdiction execute all Processes to him directed for levying the Amount of any Fine or Fines which shall be imposed under any Act in force in *Ireland*, or for levying the Amount of any Recognizance forfeited to His Majesty, His Heirs and Successors, or of any Fines imposed on any Jurors, Witnesses, Parties, or Persons at any Assizes, or Commission of Oyer and Terminer, or Gaol Delivery, or Sessions of the Peace; and when any Warrant, Order, or Command of any Magistrate shall be delivered or given to any such Head Constable or Sub-Constable, he shall, if the Time will permit, show or deliver the same to the Chief Constable under whose immediate Command such Head Constable or Sub-Constable shall then be, and such Chief Constable shall nominate and appoint by Indorsement thereon such One or more of the Constables under his Orders, and such Assistant or Assistants to him or them as such Chief Constable shall think proper, to execute such Warrant, Order, or Command; and every such Constable whose Name shall be so indorsed, and every such Assistant as aforesaid, shall have all and every the same Rights, Powers, and Authorities for and in the Execution of every such Warrant, Order, or Command as if the same had been originally directed to him or them expressly by Name.

XVII. And

Persons appointed under this Act to take an Oath previous to acting.

XVII. And be it enacted, That no Person appointed under this Act to be an Inspector General, Deputy Inspector General, County Inspector, or Sub-Inspector, Receiver, Magistrate, Paymaster, Clerk, Chief or other Constable or Sub-Constable, shall be, except as is herein-before provided, capable of holding the said Office, or of acting in any way therein, until he shall take and subscribe the Oath here following; (that is to say,)

Form of Oath.

'I *A.B.* do swear, That I will well and truly serve our Sovereign Lord the King in the Office of Inspector General, Deputy Inspector General, County Inspector, *or* Sub-Inspector, Receiver, Paymaster, Clerk, Magistrate, Chief Constable *or* Head Constable, [*or* Constable *or* Sub-Constable, *as the Case may be*,] without Favour or Affection, Malice or Ill-will; that I will see and cause His Majesty's Peace to be kept and preserved, and that I will prevent to the best of my Power all Offences against the same; and that while I shall continue to hold the said Office I will, to the best of my Skill and Knowledge, discharge all the Duties thereof, in the Execution of Warrants and otherwise, faithfully according to Law; and that I do not now belong, and that I will not, while I shall hold the said Office, join, subscribe, or belong to any political Society whatsoever, or to any secret Society whatsoever, unless to the Society of Freemasons. So help me GOD.'

And the said Oath shall be administered, either at General or Petty Sessions or otherwise, by any Two Magistrates, and shall in all Cases be subscribed by the Person taking the same; and the said Oath shall be administered by any Two Magistrates, either in open Sessions or otherwise; and such Magistrates shall forthwith give to the Person taking the same a Certificate thereof under his Hand, such Certificate to be forwarded to the Chief Secretary of the Lord Lieutenant, or the Under Secretary, or to such Person as he may appoint.

Inspector General, &c. appointed under this Act, not to sit in Parliament; nor Persons belonging to the Constabulary Force to vote at Elections.

XVIII. And be it enacted, That no Inspector General, Deputy Inspector General, Receiver, or County Inspector, or Magistrate, appointed by virtue of this Act, shall, during the Continuance of such Appointment, be capable of being elected or sitting as a Member of the House of Commons; and that no Inspector General, Deputy Inspector General, Receiver, County Inspector, Magistrate, Sub-Inspector, Paymaster or Clerk, Chief or other Constable or Sub-Constable, or Person belonging to the said Constabulary Force or appointed by virtue of this Act, shall during the Time that he shall continue in any such Office, or within Six Calendar Months after he shall have quitted the same, be capable of giving his Vote for the Election of a Member to serve in Parliament for any County, City, Borough, Town, or Place in *Ireland*, nor shall, by Word, Message, Writing, or in any other Manner, endeavour to persuade any Elector to give or dissuade any Elector from giving his Vote for the Choice of any Person to be a Member to serve in Parliament for any such County, City, Borough, Town, or Place; and if any such Inspector General, Deputy Inspector General, Receiver, County Inspector, Magistrate, Sub-Inspector, Paymaster or Clerk, Chief or other Constable or Sub-Constable, or Person belonging to the said Constabulary Force, shall offend therein, he shall forfeit the Sum of One hundred Pounds,

Pounds, to be recovered by any Person who will sue for the same by Action of Debt, to be commenced within Six Calendar Months after the Commission of the Offence: Provided always, that nothing in this Enactment contained shall subject any such Inspector General, Deputy Inspector General, Receiver, County Inspector, Magistrate, Sub-Inspector, Paymaster or Clerk, Chief or other Constable or Sub-Constable, or Person belonging to the said Constabulary Force or appointed under this Act, to any Penalty for any Act done by him at or concerning any of the said Elections in the Discharge of his official Duty.

Penalty not exceeding 5*l.* may be imposed on Chief and other Constables for Violation of Duty.

XIX. And be it enacted, That if any Chief or other Constable or Sub-Constable shall neglect or refuse to obey and execute any Warrant hereby directed to be by him executed, or shall be guilty of any Neglect or Violation of Duty in his Office, every such Chief or other Constable shall forfeit and incur such Penalty, not exceeding Five Pounds, as any Two or more Justices of the Peace, after Examination upon Oath of One or more credible Witness or Witnesses, or upon Confession of the Party, shall think proper to impose or inflict; and the Amount of such Penalty shall and may be deducted from and out of any Salary accruing due to such Offender under this Act, upon a Certificate thereof to be by the Justices before whom he may be convicted transmitted to the Paymaster of the County: Provided always, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors to mitigate or remit any such Penalty.

Constables dismissed to lose their Powers, and deliver up the Arms, &c.

XX. And be it enacted, That when any Chief or other Constable or Sub-Constable shall be dismissed from or shall cease to hold and exercise his Office, all Powers and Authorities vested in him as a Constable shall immediately cease and determine to all Intents and Purposes whatever; and if any Constable or Sub-Constable shall not, within One Week after he shall be dismissed from or shall cease to hold and exercise his Office, deliver over all and every the Arms, Ammunition, and Accoutrements, Horse, Saddle, Bridle, Clothing, and other Appointments whatsoever, which may have been supplied to him for the Execution of such Office, to the Paymaster for the County, or to such Person and at such Time and Place as shall be directed by the said Paymaster, every Person making default herein shall, upon Conviction for such Offence before any Two or more Magistrates upon Oath of One or more credible Witness or Witnesses, or upon his own Confession, be subject and liable to Imprisonment in the Common Gaol or House of Correction for any such Period not exceeding the Term of Two Calendar Months, and kept to hard Labour as such Magistrates shall think proper to direct; and it shall be lawful for such Magistrates, and they are hereby authorized and required, to commit every such Offender accordingly, and to issue their Warrant to search for and seize, to the Use of His Majesty, all and every the Arms, Ammunition, Accoutrements, Horses, Saddles, Bridles, Clothing, and other Appointments whatsoever which shall not be so delivered over, wherever the same shall be found.

Constables not to resign without Leave.

XXI. And be it enacted, That no Head Constable, Constable, or Sub-Constable to be appointed under this Act shall be at liberty to resign

resign his Office, or to withdraw himself from the Duties thereof, unless expressly authorized so to do in Writing by the County Inspector or Sub-Inspector under whom he may be placed, or unless he shall give to such Inspector One Month's Notice of his Intention so to resign or withdraw; and if any Head Constable, Constable, or Sub-Constable shall so resign or withdraw himself without such previous Permission or Notice, he shall for such Offence forfeit and pay a Penalty not exceeding Ten Pounds upon Conviction before Two Justices of the Peace; and it shall and may be lawful for such Justices, in case such Penalty shall not be paid, to commit such Person to the Common Gaol or House of Correction for any Period not exceeding Three Calendar Months, and kept to hard Labour; and all Penalties so to be levied shall be paid to the Paymaster or One of the Paymasters of the County, to be applied and accounted for as herein-after directed.

County Inspectors, &c. to be exempt from Tolls.

XXII. And be it enacted, That all County Inspectors, Sub-Inspectors, Chief and other Constables and Sub-Constables, appointed and acting under this Act, being on actual Duty, and in proper Dress or Undress as such, and all Prisoners under their Charge, and all Carriages and Horses exclusively employed in carrying or conveying such Persons or their Prisoners or Baggage, or returning therefrom, and not otherwise engaged or employed, shall be exempted from Payment of any Duties and Tolls on passing Turnpike Roads or Bridges, otherwise demandable by virtue of any Act already made or to be made; and any Toll Collector who shall demand and receive any Duty or Toll contrary to this Act shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence, to be recovered by Distress and Sale of the Goods and Chattels of such Person so offending, on Conviction in a summary Way before a Justice of the Peace, the same to be paid to the Person from whom such Duty or Toll shall have been received, and to be applied as any Penalties payable to any Chief or other Constable are directed by this Act to be applied.

County Inspectors, &c. not to be liable to serve as Churchwardens, Jurors, &c.

XXIII. And be it further enacted, That no Inspector General, Deputy Inspector, Receiver, Paymaster, County Inspector, Sub-Inspector, Chief or other Constable or Sub-Constable, appointed and acting under this Act, shall be liable to serve the Office of Churchwarden, Parish Overseer, or Constable, or to serve as a Juror in any Case, Civil or Criminal, or to be chosen or ballotted to serve in the Militia, or subject to any Fine, Penalty, or Punishment whatsoever for declining or refusing to serve in any such Capacity.

Oaths may be administered on Police Inquiries.

XXIV. And be it further enacted, That it shall and may be lawful to and for the Inspector General or Deputy Inspector General to be appointed under this Act, or either of them, or any other Person or Persons to be nominated for the Purpose from Time to Time by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to examine on Oath into the Truth of any Charges or Complaint preferred against any Person to be appointed under this Act, of any Neglect or Violation of Duty in his Office, and to report thereon to the Lord Lieutenant or other Chief Governor or Governors

Governors of *Ireland*; and any Person who on any such Inquiry, or on any other Occasion on which an Oath may be administered under this Act, shall give false Evidence or take a false Oath, and be thereof duly convicted, shall be deemed guilty of wilful and corrupt Perjury, and shall be liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are or may be subject and liable to.

Penalty on unlawful Possession of Arms, &c. supplied to Constabulary, and on assuming the Dress, Name, &c. of Constables, &c., 10*l.* or Two Months Imprisonment and hard Labour.

XXV. And be it further enacted, That if any Person not appointed and acting under this Act shall have in his or her Possession any Arms or Ammunition, or any Article of Clothing, Accoutrements, or Appointments, supplied to any Person under this Act, and shall not be able satisfactorily to account for his or her Possession thereof, or shall put on or assume the Dress, Name, Designation, or Description of any Person or Persons, or of any Class of Persons, appointed under this Act, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any other Act which such Person or Persons so putting on or assuming such Dress, Name, Designation, or Description would not by Law be entitled to do or procure to be done of his or their own Authority, every such Person so offending shall, in addition to any other Punishment to which he or she may be liable for such Offence, forfeit and pay for every such Offence any Sum not exceeding the Sum of Ten Pounds, to be recovered by Distress and Sale of the Goods and Chattels of such Offender on summary Conviction before Two Justices of the Peace, or in default of Payment thereof shall be imprisoned for any Period not exceeding Two Calendar Months, and kept to hard Labour; such Penalty to be paid to one of the County Paymasters appointed under this Act, and by him paid over to the Receiver, to be applied by him in aid of the Police Reward Fund provided in and by this Act.

As to the Stamp Duty on Appointments of Persons holding Situations under former Acts.

XXVI. And be it further enacted, That no Person already appointed and now acting under the said recited Acts or any of them, who shall be appointed to any Situation under this Act, shall be liable to pay any new or greater or other Stamp Duty on such new Appointment than would be payable by Law on an Appointment to a Situation of the annual Value of the Difference, if any, between the annual Value of the Situation now held by such Person and the annual Value of such new Situation.

Inspectors, &c. may be ordered to other Counties;

XXVII. And be it enacted, That it shall and may be lawful for the Inspector General, subject to the Direction and Control of the said Lord Lieutenant or other Chief Governor or Governors, from Time to Time, as may be deemed expedient, to order and direct that every or any the Inspectors, Sub-Inspectors, Paymasters, Chief or other Constables, or that the whole or any Number of Chief or other Constables or of Sub-Constables of any County, Barony, Half Barony, or other Division of a Barony, County of a City, County of a Town, or Town and Liberties, shall go and repair to such Place or Places in any other County or Counties, or in any County of a City or County of a Town, or Town and Liberties, in *Ireland*, as shall be mentioned in such Order, and shall remain there for such Length of Time, or remove to or remain at any other Place or Places in the same or any other County,

County, City, or Town for such Time and Times, and shall return to his or their original County, Barony, Half Barony, and other Division of a Barony, City, or Town at such Time and Times respectively, as shall be mentioned or directed in or by such Order, or by any other Order or Orders which may from Time to Time be made by such Inspector General, subject to the like Direction and Control; and that such Inspectors, Sub-Inspectors, Paymasters, Chief and other Constables, and Sub-Constables, when so removed, shall have the same Rights, Powers, and Authorities, and be subject to the same Rules, Regulations, and Orders, and be in all respects in the same Situation in the County or other Districts or Places to which they shall be so removed, as if they had been originally appointed in and for such County or District.

their Expences to be defrayed by the County to which they are removed.

XXVIII. And be it enacted, That where any such Order as last aforesaid shall be acted upon, all Expences to be incurred for the Purposes of this Act by or on account of any Inspector, Sub-Inspector, Paymaster, Chief Constable or other Constable, or Sub-Constable, shall, during such Time as he shall be or remain in any County, or any Barony or Half Barony or other Division of a Barony, or County of a City, or County of a Town, or Town and Liberties, be defrayed in the same Manner in all respects by such County, or Barony or Half Barony or other Division of a Barony, or County of a City, or County of a Town, or Town and Liberties, in respect of which such Expences shall have been incurred, and to which it shall be by the said Lord Lieutenant or other Chief Governor or Governors declared that such Expences relate, as if he had been originally appointed in and for the same.

Power to Lord Lieutenant to fix Salaries of Inspectors, &c.

XXIX. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to fix and appoint such annual Salaries as to him or them may from Time to Time seem proper, not exceeding the several Sums herein-after specified, to be paid in such Manner and subject to such Regulations and Provisions as he or they may direct, to the several Persons appointed under this Act; (that is to say,) to the Inspector General of Police an annual Salary not exceeding One thousand five hundred Pounds, to each Deputy Inspector an annual Salary not exceeding Eight hundred Pounds, to the Receiver of the said Constabulary Force an annual Salary not exceeding Six hundred Pounds, to each County Inspector an annual Salary not exceeding Five hundred Pounds, to each Sub-Inspector an annual Salary not exceeding Two hundred and fifty Pounds, to each Paymaster an annual Salary not exceeding One hundred Pounds, to each Chief Constable an annual Salary not exceeding One hundred and fifty Pounds, to each Head Constable an annual Salary not exceeding Seventy Pounds, to each Constable an annual Salary not exceeding Thirty-five Pounds, to each Sub-Constable an annual Salary not exceeding Twenty-five Pounds, and to the Clerks in the Office of the Inspector General annual Salaries not exceeding in the whole for all such Clerks the Sum of Eight hundred Pounds; and a rateable Proportion of such Salaries shall be payable for any Portion of a Year during which any Person entitled thereto may serve or have served; and in case of the Dismissal of

of any such Person, and the Imposition upon him of any Fine or Penalty under the Provisions of this Act, it shall be lawful to retain and deduct the Amount thereof from and out of the Salary due or accruing due to such Person.

Employments under this Act not to prevent the Holders from receiving Half Pay.

XXX. Provided always, and be it enacted, That no Office or Employment under this Act shall prevent the Holder thereof from receiving any Half Pay to which, if he did not hold such Office or Employment, he might be or become entitled under any Act passed or hereafter to be passed, unless it shall be specially mentioned and provided in such Act that Persons holding Appointments under this Act shall not receive Half Pay.

Power to Lord Lieutenant to appoint resident Magistrates by Warrant under Hand and Seal.

XXXI. And be it enacted, That in any Case in which it shall appear to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by reason of any County or County of a City or County of a Town, or Town and Liberties, being in a State of Disturbance, or owing to the Absence or Non-residence of a Magistrate in any County, County of a City, County of a Town, or Town and Liberties, or in any District of any County, or for any other sufficient Cause, to be expedient, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by Warrant under his or their Hand and Seal, to appoint during his or their Pleasure One or more Persons for any County, or for any County of a City or County of a Town, to be Magistrates for said County, County of a City, County of a Town, or Town and Liberties, or for any Part or District of any County, or for any District consisting of any Parts of any Two or more adjoining Counties, or for any One or more Barony or Baronies in any County, in *Ireland*, or for any District consisting of any County and of a County of a City or County of a Town, Town and Liberties, or City and County, or any Part or Parts thereof respectively, and from Time to Time to dismiss or remove any such Magistrate at his or their Will and Pleasure; and every Magistrate who shall be so appointed under this Act shall on his Appointment forthwith take the Oaths by Law required, and in such Manner as such Oaths are by Law required to be taken by Justices of the Peace in *Ireland*, and he shall thereupon to all Intents and Purposes be and become a Justice of the Peace in and for the County or Counties, or City or Town, in and for which he shall be appointed to be such Magistrate as aforesaid, and also for each and every County at large, or County of a City or County of a Town, Town and Liberties, or City and County adjoining to or locally situate within such his proper County, City, or Town, and shall have within such adjoining County, City, or Town all the Authority necessary for the due Execution of the Provisions of this Act.

Warrant to contain Grounds of Appointment, and Magistrates Names to be published.

XXXII. Provided always, and be it enacted, That the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall, in every such Warrant as aforesaid, state specifically the Grounds of the Appointment of the Magistrate to whom it shall relate, and shall cause the Name of every such Magistrate so appointed to be published in the next *Dublin Gazette*.

Magistrates not to hold any other Office.

XXXIII. Provided always, and be it enacted, That no Person appointed to be a Magistrate with a Salary under this Act shall be capable of holding any other Office under this Act.

Salary of such Magistrates.

XXXIV. And be it enacted, That every such Magistrate while he shall hold such Office shall have and receive such Salary by the Year, not exceeding the Sum of Four hundred Pounds, and rateably for any shorter Period, as the Lord Lieutenant or other Chief Governor or Governors shall from Time to Time direct, and also such Allowance for Forage as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall think fit: Provided always, that if any Person now acting as a Magistrate under any of the herein-before recited Acts shall be appointed to act as a Magistrate under this Act, it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to allow him any annual Salary and Allowances not exceeding the Amount of the Salary and Allowances enjoyed by such Person as such Magistrate under the said Acts or any of them.

Expences of Constables to be advanced out of the Consolidated Fund.

XXXV. And be it enacted, That it shall and may be lawful to and for the Lord High Treasurer, or the Commissioners of His Majesty's Treasury, or any Three or more of them, for the Time being, to order that any such Sum or Sums as he or they shall think proper shall from Time to Time be advanced and paid out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, arising in *Ireland*, for the Payment of the several Salaries and Remunerations and Allowances, and the Purchase of Arms, Accoutrements, Horses, Bridles, Saddles, Appointments, Houses, Outhouses, Furniture, and Accommodations, payable under or proper for the Use of the Constabulary Force to be appointed under this Act, and also for all Rents and Taxes payable for and in respect of such Houses, Outhouses, and for repairing all such Houses and Outhouses from Time to Time, and for the Forage of such Horses, and for the Expence of the Magistrates, Inspectors, Chief or other Constables, or Sub-Constables, when they shall respectively be absent on Duty from their Residences under the Authority of this Act, and for all other necessary and reasonable Costs, Charges, and Expences incurred or to be incurred in the Execution of this Act; and all Money so issued shall be paid to the Receiver of the Constabulary Force of *Ireland* to be appointed as herein-after mentioned, with such Securities and under such Rules and Regulations as the said Lord High Treasurer or the Commissioners of the Treasury, or any Three or more of them, shall from Time to Time appoint and direct.

One Moiety of such Advances to be repaid by the County.

XXXVI. And be it enacted, That One Moiety of all Monies so advanced out of the Produce of the Consolidated Fund for all or any the Purposes of this Act (except so much of said Advances as shall be for the Salaries and Expences of the Inspector General, his Deputies and Clerks, and of all Magistrates to be appointed as aforesaid, and of the Receiver for the said Constabulary Force, and of the Paymasters in the several Counties,) shall be raised by Grand Jury Presentment off each County, County of a City, or County of a Town to which the same shall be declared by the Lord Lieutenant

or other Chief Governor or Governors of *Ireland* to relate, and in or for which such Expences shall be or shall have been incurred.

Inspector General to ascertain the Sums chargeable to each County, and certify the same to the Grand Jury.

XXXVII. And be it enacted, That the Inspector General to be appointed under this Act shall, with the Assistance of the Receiver, in sufficient Time before each Assizes and Presenting Term, ascertain the Amount of the Monies chargeable under the Provisions of this Act on each County, County of a City, of a Town, or any Part of any County, and shall make out a Certificate thereof under his Hand, specifying the Force or Service in respect whereof such Charge may have been incurred, and transmit the same, when approved and certified by the Chief or Under Secretary of the said Lord Lieutenant or other Chief Governor or Governors, to the Secretary of the Grand Jury for such County, County of a City, and County of a Town, One Week before said Assizes and Presenting Term, who shall lay the same before the Grand Jury; and thereupon it shall be lawful for such Grand Jury, and they are hereby required, to make a Presentment for the Amount stated in such Certificate or in any previous Certificate, the Amount whereof shall not have been already presented, to be raised from off the County at large, County of a City, or County of a Town, or City and County respectively, in the same Manner as any Presentment for Constables may by Law be now raised therefrom; and it shall not be lawful for the Court at any Assizes or Presenting Term to fiat any Presentment for raising any other Money until such Presentment for such Expences be first made and allowed; and whenever the Amount stated in such Certificate shall be levied, the same shall be paid to such Bank or Person and in such Manner as the Lords of the Treasury or the Commissioners of the Treasury, or any Three or more of them, shall from Time to Time think fit to direct and appoint; and thereupon, but not before, as to all Sums mentioned in such Certificate as aforesaid, such County shall be deemed to be discharged.

Receiver to be appointed,

XXXVIII. And be it enacted, That it shall be lawful for the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, to appoint a Person to receive all Sums of Money applicable to the Purposes of this Act, who shall be called "The Receiver for the Constabulary Force of *Ireland*;" and the said Lord High Treasurer or the said Commissioners, or any Three or more of them, may remove any such Person if he or they shall see Occasion so to do, and may, upon any Vacancy in that Office by Death, Removal, or otherwise, appoint another Person to be such Receiver; and the Receiver for the Time being shall give Security to His Majesty in a Bond, with Two Sureties, in such Sum as the said Lord High Treasurer or the said Commissioners of the Treasury, or any Three or more of them, shall direct, such Bond to be conditioned for the faithful Performance of his Duty by such Receiver, and for the due Application of all Monies paid to him under this Act; and the Receiver for the Time being shall receive all Sums of Money applicable to the Purposes of this Act, and shall keep an exact and particular Account thereof, and shall immediately pay all Monies, Bills, and Notes by him received under this Act into the Hands of the Governor and Company of the Bank of *Ireland*, and the same shall be placed to an Account

Monies to be lodged in the Bank of Ireland.

Account in the Books of the said Governor and Company, which shall be entituled "The Account of the Public Monies of the Receiver for the Constabulary Force in *Ireland*," and such Receiver shall draw out of the said Bank from Time to Time such Sums of Money as may be necessary for the Payment of the Salaries and Allowances payable under this Act, and of all other Charges and Expences attendant upon the Execution of the same, and shall from Time to Time transmit to the Paymasters of the several Counties the Monies required to defray all such Salaries, Charges, and Expences within such Counties respectively: Provided always, that the said Receiver and the said Paymaster shall be governed, in respect to all their pecuniary Transactions, whether of Receipt or Payment, and in respect of the Periods in which and for which they shall severally and respectively deliver their Accounts of such Receipts and Payments, accompanied by the proper and necessary Vouchers in support thereof, and as to the Manner in which such Accounts shall be kept and prepared and exhibited for Audit, by such Rules and Regulations as shall be issued in that respect from Time to Time by the Lord High Treasurer or the Commissioners of the Treasury, or any Three or more of them; and every Draft or Order for Money on the Bank of *Ireland*, drawn by the Receiver, shall be countersigned by the Inspector General or by one of his Deputies; and all Drafts and Orders so drawn and countersigned, but not otherwise, shall be a sufficient Authority to the Bank to pay the Amount thereof to the Persons named therein or to the Bearers of them.

Monies to be accounted for, and Accounts to be examined by the Commissioners of Public Accounts.

XXXIX. And be it further enacted, That the said Receiver and the said Paymaster shall be and be deemed to be Public Accountants, and shall be subject to the Regulations and Penalties in force in respect to Public Accountants; and that their Accounts shall be submitted to and examined by the Commissioners for auditing the Public Accounts, or by such Person or Persons as the Lord High Treasurer or the Commissioners of His Majesty's Treasury, or any Three or more of them, shall direct.

Receiver to make Contracts, and all the Property acquired under this Act to be vested in him.

XL. And be it enacted, That the said Receiver for the Time being shall make all such Contracts as shall be necessary for purchasing or renting any Lands or Buildings, or for erecting, fitting up, furnishing, or repairing any Buildings for the Purposes of this Act, in such Manner as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall direct; and the Right, Title, Property, and Interest to and in all Lands and Buildings, and in and to the Fixtures and Furniture thereof, and in and to all Goods and Chattels whatsoever to be from Time to Time held, rented, or purchased for the Purposes of this Act, shall be vested in the said Receiver for the Time being, in whom shall be vested the Property in and to all Arms, Accoutrements, Horses, Saddles, Bridles, and other Necessaries to be at any Time furnished to the said Constabulary Force; and the said Receiver for the Time being may sell, assign, or dispose of the whole or any Part of any such Property as aforesaid, and as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall from Time to Time direct, and the Monies arising from such Sale or Disposition shall be carried to and make Part of the Funds arising to the Credit of the Account of the said Receiver at the Bank of *Ireland*:

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Provided always, that it shall be lawful for the said Lord High Treasurer or Lords Commissioners, or any Three or more of them, from Time to Time to establish such Regulations as he or they may think proper in respect of all Contracts to be entered into, or Purchases or Payments made, for or on account of the said Constabulary Force; which several Rules and Regulations shall be certified by the said Commissioners of the Treasury to the said Receiver and to the several and respective Paymasters of the several Counties, and shall be of full Force and Authority, and shall be observed by all Persons whatsoever in relation to all Matters and Things therein contained.

Upon the Death or Removal of Receiver, the Balance of Cash at the Bank shall be transferred to his Successor.

XLI. And be it enacted, That upon the Death, Resignation, or Removal of any Receiver appointed under this Act the Balance of Cash for which he shall at that Time have Credit on his Account as Receiver with the Governor and Company of the Bank of *Ireland*, or on the Superannuation Fund or Reward Fund Account, and all Stock, Bills, Notes, Government or other Securities for Money, which he may at such Time have in that Character, shall, as soon as a Successor shall be appointed to the Office of Receiver, actually vest in such Successor, and shall be immediately transferred to the Account of such Successor, to be applied for the Purposes of this Act; and the Receiver for the Time being is hereby required to issue his Drafts or Orders, countersigned by the said Inspector General or Deputy Inspector, for all unsatisfied Charges and Demands payable out of the Monies in the Bank, although the same shall have accrued in the Time of any former Receiver.

Upon Removal of Receiver, his Successor may sue for any Balance remaining in his Hands.

Mode of proceeding.

Special Bail.

Court may refer the Accounts to an Officer or Arbitrator.

XLII. And be it enacted, That if any Person, having resigned or having been removed from the Office of Receiver, shall neglect, within Twenty-one Days after Notice for such Purpose, to account for and pay to any succeeding Receiver all such Sums of Money as shall remain in his Hands applicable to the Purposes of this Act, it shall be lawful for the Receiver for the Time being, in his own proper Name only, or by Name and Description of Office, to sue for and recover the same from such Person, with Double Costs of Suit, in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt; in which Action it shall be sufficient for such Receiver to declare as for Money had and received to the Use of such Receiver for the Purposes of this Act; and the Defendant in the Action may, at the Discretion of any Judge of such Court, be held to Special Bail in such competent Sum as the Judge shall order; and the Court in which the Action shall be brought may, at the Instance of either of the Parties, refer the Account in dispute in a summary Manner to be audited by any Officer of the Court, or other fit Person, who may examine both Plaintiff and Defendant upon Oath (which Oath the said Referee shall have Power to administer), and upon the Report of such Referee, unless either of the Parties shall show good Cause to the contrary, the Court may make a Rule, either for the Payment of such Sum as upon the Report shall appear to be due, or for staying the Proceedings in the Action, and upon such Terms and Conditions as to the Court shall appear reasonable, or the Court may order Judgment to be entered up by Confession for such Sum as upon the Report shall appear to be due.

Mode of proceeding against the Representatives of a deceased Receiver.

XLIII. And be it enacted, That in case of the Death of any Person during the Time that he shall be holding the Office of Receiver, or after he shall have resigned or been removed from such Office, the Receiver for the Time being may, in his own proper Name only, or by his Name and Description of Office, sue for and recover from the Executors or Administrators of such Persons deceased all such Sums of Money as shall have been remaining in his Hands, applicable to the Purposes of this Act, in any of His Majesty's Courts of Record at *Dublin;* in which Action it shall be sufficient for the Plaintiff to declare that the Deceased was indebted to the Plaintiff for Money had and received to his Use for the Purposes of this Act, or that the Deceased died possessed of Money had and received for the Purposes of this Act, whereby an Action hath accrued to the Plaintiff to demand and have the same from such Executors or Administrators; and the like Action may be brought against any Executors or Administrators of Executors or Administrators; and in all such Actions the Defendant or Defendants may plead in like Manner, and avail themselves of the like Matters in defence, as in any Action founded upon Simple Contracts of the original Testator or Intestate; and the Court may refer the Account in dispute to be audited by any Officer or Person, and may proceed upon the Report of such Referee in like Manner as herein-before mentioned; and in all Actions to be brought, as well as in all Proceedings whatsoever to be instituted or carried on by any Receiver by virtue of this Act, Proof of his acting in the Execution of the Office of Receiver shall be sufficient Evidence of his holding such Office, unless the contrary shall be shown in Evidence by the Defendants in such Actions, or the Parties against whom such Proceedings shall be instituted or carried on.

Proof of Receiver's official Character.

Reputation to be Evidence of Appointments.

XLIV. And be it enacted, That if any Question shall arise as to the Right of any Magistrate, or of any Inspector, Sub-Inspector, Chief Constable or Head Constable, or Sub-Constable, to hold or execute any such Office respectively, common Reputation shall to all Intents and Purposes be deemed and held to be sufficient Evidence of such Right; and it shall not be necessary to produce any Appointment, or any Oath, Affidavit, or other Document or Matter whatsoever, in Proof of such Right.

This Act not to extend to High Constables, Parish or Leet Constables.

XLV. Provided always, and be it enacted, That nothing in this Act contained shall extend, or in anywise be deemed or construed to extend, to repeal, affect, or take away the Election or Appointment of High Constables by Grand Juries for the Purpose of collecting the Sums presented by such Grand Juries, or of Parish Constables, or Constables of any Leet, in *Ireland*, or of Petty Constables of Baronies or Districts, by Grand Juries or by Magistrates at Sessions, or to take away or diminish or infringe the Powers or Authorities of any such Constables in any respect whatever; but no such Constable shall be deemed to belong to the said Constabulary Force, nor as such be entitled to any Payment or Salary under this Act.

Superannuation Fund to be provided.

XLVI. And be it enacted, That there shall be deducted from the Pay and Salary of the several Persons appointed under this Act,

except the Receiver and Paymasters, the Sum of Two Pounds *per Centum per Annum*, and so rateably from any Pay or Salary of whatever Amount; which Sum so deducted shall from Time to Time be invested in Government Stock by and in the Name of such Receiver, and the Interest and Dividends thereof, or so much of the same as shall not be required for the Purposes herein-after next mentioned, shall be likewise invested in such Stock, and accumulate so as to form a Fund to be called "The Police Superannuation Fund," and to be applied from Time to Time as Occasion may require for the Payment of such Superannuation or Retiring Allowances or Gratuities as may be at any Time from the passing of this Act ordered or appointed from Time to Time by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, under the Powers herein-after given to him, to be charged on the said Fund or payable thereout; and in case the Fund so accumulated shall be inadequate to pay such Superannuations or Retiring Allowances, one Half of such Deficiency shall be made up by Presentment of the Grand Juries of the respective Counties, Counties of Cities, and Counties of Towns, in such Proportions as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall from Time to Time direct and appoint, and the other Half thereof shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* arising in *Ireland*: Provided always, that in the Case of any yearly Allowance, Remuneration, or Superannuation granted under the said recited Acts, and directed to be presented by the Grand Jury of any County, the same shall be wholly payable and presented by the Grand Jury of such County as heretofore.

Lord Lieutenant empowered to superannuate Inspector, &c., and Grand Jury shall present yearly Allowances accordingly.

XLVII. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in his or their Discretion, upon the Petition of any Magistrate, Superintendent, Inspector General, Deputy Inspector General, County Inspector, Sub-Inspector, Chief or other Constable, or Sub-Constable, who shall have been appointed under this Act, or who may have been appointed and acted under said recited Acts or any of them, and, in the Case of any Chief Constable, upon such Recommendations and Certificates as such Lord Lieutenant or other Chief Governor or Governors shall require and direct, to order and direct that any such Magistrate, Inspector, Deputy Inspector, County Inspector, Sub-Inspector, Chief Constable or other Constable, or Sub-Constable, shall and may be superannuated, and shall and may receive such yearly Allowance, Remuneration, Superannuation, or Gratuity, and upon such Conditions, and not exceeding such Proportions as to Age, Length of Service, and other Circumstances, as herein-after mentioned and provided for, and thereupon such Person shall cease to hold such Office; and when such Person shall have served in more than One County it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors, by Warrant under his or their Hand, to apportion on each County in which he may have served such Portion of the Superannuation Allowance as he may think should be borne by such County; and the yearly Sum to which any such Magistrate, County Inspector, Sub-Inspector, Chief or other Constable, or Sub-Constable, shall become so entitled, or the Portion thereof

thereof apportioned as aforesaid, shall be presented by the Grand Jury of the County on which it shall be chargeable in Two equal Sums, one at each Assize or Presenting Term, during his Life, on Proof to the Grand Jury from Time to Time that the Person so entitled to such Superannuation is living, unless such yearly Allowance, Superannuation, or Remuneration shall be by such Lord Lieutenant directed to be chargeable on the Police Superannuation Fund herein-before provided, which such Lord Lieutenant or other Chief Governor or Governors is and are hereby authorized and empowered to do: Provided nevertheless, that unless such Superannuation Fund shall be adequate to discharge such Allowance, Superannuation, or Remuneration, together with the several Allowances, Remunerations, or Superannuations previously charged upon and made payable thereout, it shall not be lawful for the said Lord Lieutenant to grant any such Allowance, Remuneration, or Superannuation so chargeable upon the said Superannuation Fund, without the Consent of the said Lord High Treasurer or Lords Commissioners of the Treasury, or any Three or more of them.

**Condition and Proportions of Allowances to Constables superannuated.**

XLVIII. Provided always, and be it enacted, That the Conditions and Proportions of such Allowance, Remuneration, or Superannuation shall be as follows; (that is to say,) where any Person applying for the same shall be under Sixty Years of Age it shall not be lawful to grant any such Allowance, Compensation, Remuneration, or Superannuation, unless as herein-after provided, or upon Certificate from such Persons as may be appointed by the Lord Lieutenant or other Chief Governor or Governors for the medical Inspection of Persons appointed under this Act or any of the said recited Acts, that such Person is incapable, from Infirmity of Mind or Body, to discharge the Duties of his Office, in which Case, if he shall have served with Diligence and Fidelity for Fifteen Years, it shall and may be lawful to grant to him by way of Superannuation an annual Sum not exceeding One Half of the Salary of his Office; if above Fifteen Years and less than Twenty, any Sum not exceeding Two Thirds of such Salary; if above Twenty Years, any such Sum not exceeding the whole of such Salary; and if such Person shall be above Sixty Years of Age, and he shall have served Fifteen Years or upwards, it shall and may be lawful, although there shall be no Certificate of Incapacity from Infirmity or Injury of Body or Mind, to grant him by way of Superannuation any annual Sum not exceeding Two Thirds of the Salary of his Office; if Sixty-five Years of Age or upwards, and he shall have served Forty Years or upwards, any Sum not exceeding Three Fourths of such Salary; if Sixty-five Years of Age or upwards, and he shall have served Fifty Years or upwards, any such Sum not exceeding the whole of such Salary: Provided always, that if any such Person shall be disabled by any Wound or Injury received in the actual Execution of the Duty of his Office, it shall and may be lawful to grant to him such yearly Allowance or Remuneration as may, in the Opinion of the Lord Lieutenant or Chief Governor or Governors of *Ireland*, be proportioned to the Nature of the Injury received, without reference to the Length of his Service, provided that such Allowance or Remuneration shall in no Case exceed the whole of such Salary, and that in calculating the Period for which any such Person has

**Allowances in case of Wounds, &c.**

has served, the Time he may have served under any of such recited Acts shall be reckoned: Provided also, that every such yearly Superannuation Allowance may, at the Time of its being granted, or at any Time afterwards, be commuted for a Gratuity, payable immediately, at such Rate as the Lord Lieutenant or the Chief Governor or Governors of *Ireland* for the Time being may approve of.

Fines on Constables and Penalties payable to the Police to form a Fund to be called the "Police Reward Fund."

XLIX. And be it enacted, That all Fines imposed on any Chief or other Constable under this Act, and all Penalties or Proportions of Penalties and Damages awarded to any Chief or other Constable or other Person appointed under this Act by any Justice or Justices of the Peace, on any summary Conviction, as the Prosecutor of any Information or otherwise, shall be paid to the Paymaster of each County, County of a City, or County of a Town, in which such Fine shall be imposed or such Conviction shall be had, and shall be by such Paymaster paid to the said Receiver to be appointed under this Act in such Manner as the said Lords Commissioners of the Treasury shall from Time to Time direct, so as that the same may form a Fund to be called the "Police Reward Fund," to be invested in Government Stock by and in the Name of such Receiver for the Time being, and accumulate for the Payment of such Rewards, Gratuities, Bounties, Pensions, or other Allowances as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* may from Time to Time award or direct to be paid to any Person or Persons appointed under this Act, or to the Widows and Families of any such Person on his Death; and that it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct, if he or they shall think fit, that any Proportion not exceeding Ten Shillings in the Year for every One hundred Pounds of the Salary of every Person appointed under this Act, and so in proportion for any Salary less than One hundred Pounds, shall, in addition to the Deduction herein-before mentioned of Two Pounds *per Centum per Annum* towards the Formation of the said Superannuation Fund, be deducted yearly from such Salaries, and added to the said Reward Fund, and form Part thereof.

For Protection of Constables in executing Warrants.

L. Provided always, and be it enacted, That when any Action shall be brought against any Constable for any Act done in obedience to the Warrant of any Magistrate, such Constable shall not be responsible for any Irregularity in the issuing of such Warrant, or for any Want of Jurisdiction in the Magistrate issuing the same, and such Constable may plead the General Issue and give such Warrant in Evidence; and upon producing such Warrant, and proving that the Signature thereto is the Handwriting of the Person whose Name shall appear subscribed thereto, and that such Person is reputed to be and acts as a Magistrate of such County or District (as the Case may be), and that the Act or Acts complained of were done in obedience to such Warrant, the Jury who shall try the said Issue shall find a Verdict for such Constable, and such Constable shall recover his Costs of Suit.

Each Paymaster to keep Ac-

LI. And be it enacted, That each Paymaster appointed under this Act shall keep Accounts of all Sums received and of all Payments

counts of Receipts and Payments, to be submitted half-yearly to the special Road Sessions;

and Disbursements made on account of the Constabulary Force in each County or District for which he shall act; and that such Accounts shall be made up on the First Day of every Month, and transmitted to the said Receiver; and a Copy of each such monthly Account shall on the same Day be transmitted to the Secretary of the Grand Jury of the County, County of a City, or County of a Town to which the same shall relate, and be by him laid before the Magistrates at the special Road Sessions next preceding the next General Assizes, who shall inspect the same, and, if they shall so think fit, examine the said Paymaster on Oath as to any Matter or Thing contained in such Account, and each such Paymaster shall for that Purpose attend such special Road Sessions, if so required, and submit to such Examination; and the Chairman of such special Road Sessions shall transmit each such monthly Account to the said Inspector General, with such Remarks thereon as such special Road Sessions shall think fit to make.

to be transmitted to Inspector General.

Sub-Inspectors to transmit to Inspector-General, and to the Secretary of the Grand Jury, monthly Returns of the Disposition and Number of the Constabulary Force.

LII. And be it further enacted, That every Sub-Inspector appointed under this Act shall on the First Day of every Month transmit to the said Inspector General a Return, showing the actual Disposition and Number of the Constabulary Force of the County for which such Sub-Inspector shall act during the preceding Month, which Return shall specify the Changes made from Time to Time therein, as well in Number as by Name, and shall distinguish by Number and Name the Members of the Police Force of other Counties serving within any such County, County of a City, or County of a Town, and shall also on the same Day transmit to the Secretary of the Grand Jury of the County, County of a City, or County of a Town to which such Return shall relate, a Copy of the said Return, to be laid before the Magistrates at their special Road Sessions next preceding the next General Assizes, for Examination.

The Certificate of Charge to be prepared by the Inspector General upon the monthly Returns.

LIII. Provided always, and be it further enacted, That the Inspector General to be appointed under this Act shall, in making out his Certificate as herein-before provided of the Monies chargeable under the Provisions of this Act on each County, County of a City, County of a Town, or Part of a County, have regard to such monthly Returns as aforesaid, and shall not include in his Certificate the Amount of any Charge with respect to which any Objection shall have been raised by the special Road Sessions of any County, County of a City, or County of a Town, until, upon Inquiry made by such Inspector General, he shall be satisfied that such Charge is not only reasonable, but has been properly made against the particular County, County of a City, or County of a Town, the special Road Sessions of which shall have raised Objection thereto.

Certain Charges not to be included in the Certificate.

LIV. Provided further, and be it enacted, That the Inspector General shall not include in his Certificate any Charge which shall have accrued subsequently to the Date of the last monthly Account which shall have been submitted to the Magistrates of the County, County of a City, or County of a Town to which such Demand shall relate, at their General Special Road Sessions next preceding the Date of such Certificate.

LV. Pro-

What to be deemed the County of Dublin.

LV. Provided always, and be it enacted, That only so much of the County of *Dublin* as is not comprised within the Police District of *Dublin* Metropolis, as the same may be defined by any Act passed or to be passed, shall, for the Purposes of this Act, be deemed to be the County of *Dublin*.

Grant of Houses or Lands for the Use of the Constabulary.

LVI. And be it further enacted, That it shall and may be lawful to and for all and every Person or Persons and Corporations Aggregate or Sole, having any Estate of Freehold in Possession in any Lands or Houses, and not otherwise by Law enabled so to do, from Time to Time to grant or demise to the Receiver to be appointed under this Act, or to any Person or Persons to be nominated by him for the Purpose, but in Trust for His Majesty, His Heirs and Successors, and for any Term of Years whatsoever, any House or Houses, not being the Mansion House or belonging thereto, or any Portion of Ground, not being the Garden, Lawn, or Park, not exceeding One Acre, for the Purpose of the same being occupied, used, or built upon for the Accommodation of the Constabulary Force to be appointed under this Act; every such Grant or Demise to be made at such annual Rent as may be agreed upon by or on behalf of such Inspector General, to be reserved to the Owner of the immediate Reversion in such Houses or Land for the Time being expectant on the Determination of such Term.

Statement of Amount of Constabulary Force to be laid annually before Parliament.

LVII. And be it enacted, That there shall be laid annually before both Houses of Parliament, during their Sitting, a Statement of the Amount of Constabulary Force employed in each County, County of a City, and County of a Town in *Ireland*, in which Statement shall be particularly distinguished the Number of Persons in each Class or Rank of the Constabulary Force so employed, with the Salaries and Allowances actually enjoyed by each Class, and that such Statement shall be accompanied by an Account of the whole Expenditure upon the Police Constabulary in each County, County of a City, or County of a Town, together with a Summary of the total Amount of Force employed, and of the total Expenditure upon the Constabulary Force in *Ireland*; such Statements and Accounts to refer to the Year ended on the First of *January* of the Year in which they are hereby directed to be laid before Parliament.

Act may be altered this Session.

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

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