

ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

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CAP. XCVII.

An Act to provide for removing the Charge of the Constabulary Force in *Ireland* from the Counties, and for enlarging the Reserve Force; and to make further Provision for the Regulation and Disposition of the said Constabulary Force.

[28th *August* 1846.]

WHEREAS an Act was passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in* Ireland; and another Act was passed in the same Session, amending the said first-mentioned Act; and by the said Acts Provision is made for establishing and regulating the Constabulary Force in *Ireland;* and it is by the said first-recited Act, amongst other things, 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

6 & 7 W. 4. c. 13.

6 & 7 W. 4. c. 36.

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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 the said 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

Sect. 36. or to be incurred in the Execution of this Act; and that One Moiety of all Monies so advanced out of the Produce of the Consolidated Fund for all or any the Purposes of the said Act (except so much of the 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

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whereas by an Act passed in the Session holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the better Regulation of the Constabulary Force in* Ireland, it is, amongst other things, enacted, that in addition to the Chief and other Constables and Sub-Constables whom the Lord Lieutenant or other Chief Governor or Governors of *Ireland* may be authorized to appoint under the said recited Acts in and for the several Counties, Counties of Cities, and Counties of Towns, and in and for the several Baronies, Half Baronies, and other Divisions of Baronies in Counties at large throughout *Ireland*, it shall and may be lawful for such Lord Lieutenant or other Chief Governor or Governors to appoint Two Chief Constables (to be styled Sub-Inspectors as therein-after mentioned), Four Head Constables, and any Number not exceeding in the whole Two hundred Constables and Sub-Constables, who shall constitute a Reserve Force to be kept in a Depôt to be for that Purpose provided in or near the City of *Dublin*, and employed as occasion may require in aid of and in conjunction with the said Constabulary Force established in and for the said several Counties and Places throughout *Ireland;* and that all and every the Provisions of the said recited Acts and that Act, with respect to the Qualification, Appointment, Dismissal, Resignation, Pay, Superannuation Allowances, Deductions for and Contributions to the Police Superannuation Fund, and to the Police Reward Fund, Duties, Liabilities, Disabilities, Forfeitures, and Penalties of or attaching upon the Officers and Men of the said Constabulary Force respectively, shall apply and extend to the Officers and Men forming Part of the said Reserve Force, except so far as such Provisions may be altered by that Act, or other Provisions made in lieu thereof; and that the said Reserve Force shall be subject to the like Regulations, Direction, and Control as the said Constabulary Force, except that such Reserve Force shall not be attached to any particular County or Place, save temporarily by virtue of such Order as is therein-after mentioned; and that it shall and may be lawful for the Inspector General of the said Constabulary Force, subject to the Direction and Control of the said Lord Lieutenant or other Chief Governor or Governors, from Time to Time as may be expedient, to order and direct that the whole or any Portion of the said Reserve Force, or the whole or any Portion of the said Constabulary Force, from Time to Time placed in the said Depôt as therein-before mentioned, shall go and repair to such Place or Places in any County or Counties, County of a City or 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, City, or Town for such Time or Times, and shall return to the said Depôt in or near *Dublin* at such Time or Times respectively, as shall be mentioned in or directed 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 the Officers and Men constituting such Reserve Force, or belonging to the said Constabulary Force, 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

2 & 3 Vict. c. 75. sect. 1.

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Places to which they shall be so removed, as if they had been appointed to and formed Part of the Constabulary Force established in and for such County or Place; and that it shall be lawful to and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to order that all such Sum or Sums of Money as they shall think necessary 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 Officers and Men composing the said Reserved Force to be established under that Act, and for the Salaries of the Paymaster and Surgeon to be attached to the said Depôt as therein-before provided, and for the Purchase of Arms, Accoutrements, Horses, Bridles, Saddles, and all other Appointments proper for the Use of the said Reserved Force, and also for the Purchase or Rent and Repairs of a proper House or Barrack to be provided for such Depôt, and for the Forage of Horses, and for the Furniture and all other Accommodations necessary to the said Depôt, and for all other Costs and Charges to be incurred in the Execution of that Act; and that One Moiety of all Monies so advanced out of the Consolidated Fund for the Payment of the Officers and Men composing the said Reserved Force, and of all other Costs and Expences (save as therein-after mentioned) to be incurred in respect of such Officers and Men during such Time as they shall remain in any County, County of a City, or County of a Town to which they may be removed by virtue of any such Order of the said Inspector General as aforesaid, shall be defrayed by such County, County of a City, or County of a Town, and shall be raised by Grand Jury Presentment off such County, County of a City, or County of a Town, together with and in addition to the Monies to be raised off such County, County of a City or Town under the said recited Acts on account of the Constabulary Force established therein; and the Inspector General of the said Constabulary Force shall have regard thereto in making out the Certificate, which he is by the said Acts directed to prepare, for the Purpose of ascertaining the Monies chargeable upon each County, County of a City or Town, or Part of a County, under the said recited Acts, and shall include such Monies in such Certificate: And whereas it is expedient that the respective Counties of *Ireland* should be relieved, save as herein-after mentioned, from all and every Part of the Charges and Expences of the said Constabulary Force and Reserve Force, and that the whole Charge of the same, save as herein-after provided, should be placed upon and borne by the Consolidated Fund of the United Kingdom, and also that an Addition should be made to the said Reserve Force as herein-after mentioned: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act so much of the said recited Acts, or any of them, or of any other Act or Acts, as provides that One Moiety of the Monies advanced out of the Consolidated Fund for the Payment of any of the Costs and Expences of the said Constabulary Force or the said Reserve Force, or of any Part thereof, shall be defrayed by any County, County of a City, or County of a Town, Barony, Half Barony, or Place in

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So much of recited Acts as provides that One Moiety or any Part of the Expence of the Constabulary or Reserve

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Ireland, or by Presentment of any Grand Jury in *Ireland*, or as provides that any Part of the Costs, Charges, or Expences of the said Constabulary Force or the said Reserve Force shall be borne or paid by or raised or levied from any such County, County of a City, County of a Town, Barony, Half Barony, or Place, save and except as herein-after mentioned, shall be and the same is hereby repealed, save and except as to any Matter or Thing heretofore done, or any Sum or Sums of Money heretofore become due and payable, and now remaining in arrear and unpaid.

Force shall be defrayed by any County, Barony, &c. in Ireland, or by Grand Jury Presentment, repealed, save as herein mentioned.

II. And be it enacted, That from and after the Tenth Day of *October* next all Monies duly payable, and all necessary and reasonable Costs, Charges, and Expences for and in respect of the said Constabulary Force and the said Reserve Force respectively, under the Provisions of the said recited Acts or any of them, or any Act amending the same, or of this Act, and also for or in respect of the Addition to the said Reserved Force herein-after provided, shall, save as herein-after mentioned, be charged upon and paid from Time to Time out of the Produce of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any Three or more of them, to order that all such Sum or Sums of Money as they shall think necessary for the Purposes aforesaid 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*.

The whole Cost of the Constabulary Force and the Reserve Force, save as herein mentioned, shall be paid out of the Consolidated Fund.

III. And whereas by the said first-recited Act it is amongst other things 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: And whereas it is expedient that in any such Case as last aforesaid the said Restriction as to the Number of such Chief and other Constables so to be appointed should be removed; be it therefore enacted, That in any such Case as in the said recited Provision mentioned it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to appoint for or in any Barony or Half Barony, or for or in 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, and also (if he or they

Power to Lord Lieutenant to appoint any Number of additional Constables (not exceeding Four Head Constables and One hundred Constables, &c. for a Barony, &c.) for any Part of Ireland declared by Proclamation to be in a disturbed State.

they shall so think fit) for or in any Barony or Half Barony, or County of a City or County of a Town, or District of less Extent than any Barony or Half Barony adjoining to a Barony or Half Barony or County of a City or County of a Town, or District, which may have been so declared to be in a State of Disturbance, such and so many additional Sub-Inspectors, Head Constables, Constables, and Sub-Constables, exceeding the Numbers aforesaid, as he or they shall think proper, not exceeding Four such Head Constables and One hundred such Constables or Sub-Constables for each such Barony, Half Barony, County of a City, County of a Town, or District of lesser Extent than any Barony or Half Barony: Provided always, that whenever it shall appear to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* acting under the Advice of the Privy Council of *Ireland* that any such Barony, Half Barony, County of a City or Town, or lesser District, has ceased to be in a State of Disturbance, and that it shall be declared by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by Proclamation made with the Advice of the Privy Council of *Ireland*, that such Barony or Half Barony, County of a City or Town, or lesser District has ceased to be in a State of Disturbance, then from and after One Month from the Publication of such Proclamation in the *Dublin Gazette*, the additional Constabulary Force so appointed for such Barony, Half Barony, County of a City or Town, or lesser District, shall be discontinued, and shall cease to be a Charge on such Barony, Half Barony, County of a City or Town, or lesser District, or on the Consolidated Fund.

When Barony, &c. is declared by Proclamation to cease to be in a disturbed State, the additional Constabulary Force shall be discontinued.

IV. And whereas it is expedient that the said Reserve Constabulary Force provided and appointed under the said recited Act of the Second and Third Years of the Reign of Her present Majesty should be increased in Number; be it therefore enacted, That in addition to the Number of Sub-Inspectors, Head Constables, Constables, and Sub-Constables which by the said last-recited Act the said Lord Lieutenant or other Chief Governor or Governors is or are empowered to appoint as and for a Reserve Force, it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to appoint Two additional Sub-Inspectors, Four additional Head Constables, and any Number not exceeding Two hundred additional Constables and Sub-Constables, who shall constitute and shall be deemed to be a Part of the said Reserve Force, and shall be subject to all and every the Provisions and Regulations applicable to the said Reserve Force under the said Act of the Second and Third Years of the Reign of Her present Majesty, or any Act amending the same, save so far as such Provisions may be altered by this Act.

Lord Lieutenant empowered to increase the Reserve Constabulary Force.

V. Provided always, and be it enacted, That in any Case in which, under the Provisions of the said first-recited Act, Seven or more Magistrates of any County at large at any General or Special Sessions held as therein mentioned, in manner therein set forth, have, since the First Day of *January* One thousand eight hundred and forty-six, certified or shall hereafter certify to the said Lord Lieutenant or other Chief Governor or Governors that the Number of Chief or other Constables or Sub-Constables appointed for any such County

Nothing herein contained to relieve Counties from the Moiety of the Cost of a further Constabulary

is inadequate to the due Execution of the Law within the same, and the said Lord Lieutenant or other Chief Governor or Governors shall by reason thereof appoint or shall have appointed a further Number of Sub-Inspectors, Head Constables, Constables, or Sub-Constables in or for such County as so certified to be necessary, or in any Case in which any Part of the Reserve Force aforesaid shall have been or shall be removed to or employed in any County, County of a City, or County of a Town, Barony, Half Barony, or District by virtue of any such Order of the Inspector-General as aforesaid, or in case the Number of the Constabulary Force in or for any Barony, Half Barony, County of a City, County of a Town, or District of less Extent than any Barony or Half Barony shall be increased by the Lord Lieutenant or other Chief Governor or Governors stationing or appointing therein or therefor additional Sub-Inspectors, Head Constables, Constables, or Sub-Constables as aforesaid, or otherwise, then and in any of such Cases nothing in this Act shall extend or be construed to extend to relieve any such County, County of a City, or County of a Town, Barony, Half Barony, or District from the Payment of One Moiety of the Costs and Expences of such further or augmented Number of the Constabulary Force or of such Reserve Force as aforesaid, but in either or any of such Cases such Moiety shall be payable and shall be raised in like Manner as a Moiety of the Expences of such further Number of the Constabulary Force, or as any such Part of the Reserve Force, while remaining in any County, County of a City, or County of a Town to which they may be removed by virtue of such Order as herein-before recited, is now payable, or may now be raised under the said recited Acts respectively, or either of them.

Force applied for by Magistrates, or of the Reserve Force, when employed therein, or of an increased Constabulary Force stationed there by the Lord Lieutenant.

VI. And be it enacted, That from and after the passing of this Act the Officers heretofore, under the Provisions of the said Act of the Second and Third Years of Her present Majesty's Reign, styled "Provincial Inspectors" shall henceforth be styled "Assistant Inspectors General."

"Provincial Inspectors" to be styled "Assistant Inspectors General."

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

Act may be amended, &c.

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