ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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C A P. LXXXV.

An Act further to amend an Act of the Sixth Year of King *William* the Fourth, to consolidate and amend the Laws relating to the Constabulary Force in *Ireland*. [7th *August* 1851.]

WHEREAS an Act was passed in the Sixth Year of His late Majesty King *William* the Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in* Ireland, and the said Act has been amended by several subsequent Acts, and it is expedient that the same should be further amended: And whereas by the Eighth Section of the said Act it is 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 whereas the said Lord Lieutenant was by the said recited Act empowered to remove the said Paymasters, Storekeepers, and Clerks, or any of them: And whereas it having been deemed expedient to discontinue the said Offices of Paymaster, Storekeeper, and Clerk, the same were accordingly discontinued from the First Day of *April* last: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

6 W. 4. c. 13.

and Commons, in this present Parliament assembled, and by the Authority of the same,

Offices of Paymaster, Storekeeper, and Clerk, under the said Act discontinued. ss. 6. & 38.

I. That the said Offices of Paymaster, Storekeeper, and Clerk under the said recited Act shall be discontinued, and shall be deemed to have been from the said First Day of *April* last discontinued accordingly; and it shall be lawful for the Commissioners of Her Majesty's Treasury to grant such Superannuation Allowances or Gratuities as they may think proper to the Paymasters, Storekeepers and Clerks so discontinued, not exceeding the Amounts respectively which would or might be authorized under the Provisions of the Act of the Fourth Year of King *William* the Fourth, Chapter Twenty-four; such Superannuation Allowances and Gratuities to be charged on the Constabulary Superannuation Fund: Provided always, that it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, with the Consent of the Commissioners of Her Majesty's Treasury, at any Time hereafter to appoint a Paymaster and Storekeeper for the Depôt of the Reserved Force of the said Constabulary Force, with such Salary as the said Commissioners of the Treasury may think fit, and to be paid in like Manner as any Officers of the said Reserved Force.

The Commissioners of the Treasury to make Rules as to the Performance of the Duties heretofore required from the Paymasters and Storekeepers.

II. And whereas under the Provisions of the said recited Act the Lord High Treasurer or Lords Commissioners of Her Majesty's Treasury, or any Three or more of them, were empowered to make Rules and Regulations in respect of the particular fiscal Duties to be discharged by such Paymasters as aforesaid: Be it enacted, That it shall be lawful for the Commissioners of Her Majesty's Treasury from Time to Time to make Rules and Regulations with respect to the several Duties (save as herein-after provided) by the said recited Act, and the Acts amending the same, required to be performed by such Paymasters, Storekeepers, and Clerks as aforesaid, and with respect to the Performance of the said Duties, and with respect to the Persons belonging to the said Constabulary Force, who shall henceforth perform the said Duties heretofore performed by such Paymasters, Storekeepers, and Clerks.

6 W. 4. c. 13. s. 51. 2 & 3 Vict. c. 75. s. 19.

III. And whereas under the said recited Acts the Paymasters appointed thereunder were required to make up their Accounts half-yearly as therein provided, and to transmit the same to the Receiver of the said Constabulary Force, and Copies thereof were directed to be transmitted to the respective Grand Juries, and laid before the Magistrates at the Special Road Sessions next preceding the Assizes; and divers other Provisions were made respecting the said Accounts:

11 & 12 Vict. c. 72.

And whereas by an Act of the Eleventh and Twelfth Years of Her present

present Majesty's Reign, Chapter Seventy-two, Provision is made as to the Form of Certificates to be transmitted to the Secretaries of Grand Juries by the Inspector General or a Deputy Inspector General of the said Force as to the Sums chargeable on the respective Counties, Counties of Cities, or Counties of Towns in respect of the said Constabulary Force: Be it enacted, That in place and stead of the Accounts so heretofore required to be transmitted to the respective Grand Juries, and laid before the Magistrates at such Special Road Sessions, the Receiver of the Constabulary Force shall from and after the passing of this Act transmit or cause to be transmitted an Account of all such Sums (and such Sums only) as are chargeable on each County, County of a City, or County of a Town, under the Provisions of the Acts relating to the said Constabulary Force, to the Secretary of the Grand Jury of such respective County, County of a City, or County of a Town to which the same shall relate, and the same shall be by him laid before the Magistrates at the Special Road Sessions next preceding the next Assizes, who shall inspect the same; and the Chairman of such Special Road Sessions shall transmit each such Account to the Inspector General of the said Constabulary Force, with such Remarks thereon as such Special Road Sessions shall think fit to be made; and each such Account so transmitted to the said Inspector General shall be dealt with by him in like Manner and subject to like Provision as the half-yearly Accounts heretofore laid before and transmitted from such Special Road Sessions to the said Inspector General under the Provisions of the said Acts; and such Certificate shall be prepared and transmitted by the said Inspector General or a Deputy Inspector General as by the said Act of the Eleventh and Twelfth Years of Her Majesty is provided.

The Receiver of Constabulary to submit to the Special Road Sessions Accounts of Sums chargeable on Counties.

IV. And whereas by an Act of the Second and Third Years of Her present Majesty's Reign, intituled *An Act for the better Regulation of the Constabulary Force in* Ireland, it is among other things provided, that the Expenses incurred in respect of the Conveyance of Prisoners as therein mentioned shall be defrayed by the Paymasters of the said Constabulary Force out of any Funds in his or their Hands applicable to the Maintenance of the said Force, and the same shall be allowed him or them in his or their Accounts as if the same had been a Disbursement in respect of the said Force, subject to such Provisions as therein contained as to the same being chargeable on and presented by the Grand Juries of the respective Counties: Be it enacted, That the said Provision shall be and is hereby repealed; and in every Case where any Expenses shall have been actually incurred or shall be proper to be incurred by any County Inspector, Sub-Inspector, Head or other Constable, Gaoler, Bridewell Keeper, or other Person in conveying any Prisoner to or from

2 & 3 Vict. c. 75. s. 30. repealed.

Expenses incurred in conveying Prisoners;

from any County Gaol or Bridewell or House of Correction, or other Place, or for Examination before any Justice or Coroner in *Ireland*, or to or from any Assizes or Sessions or other Place in *Ireland*, or from any County Gaol or Bridewell or other Place to a District Lunatic Asylum in *Ireland*, or in the Pursuit of any Person charged with the Commission of any Offence in any Part of *Ireland*, to whatever Place in the United Kingdom of *England*, *Ireland*, and *Scotland*, or elsewhere, he may have escaped, or to which there shall be reasonable and probable Grounds for supposing he has escaped, or in the Conveyance of any Witnesses for Examination before a Justice or Coroner, or to any Assizes or Quarter Sessions, or in the Conveyance of any stolen Property to any Assizes or Sessions by Order of any Justice or other lawful Authority, or in attending at any Assizes or Sessions out of his proper County to prosecute any Offence committed within the County where he shall so attend for such Purpose, it shall be lawful for the Justice or other Authority before whom any such Prisoner or Witness shall be taken, or under whose Authority any such Officer, Constable, or other Person shall have acted, or for any Justice of the County or Place wherein the Offence shall be charged to have been committed, to deliver to such Officer, Constable, or other Person a Certificate in Writing that he is entitled to his Expenses to such Extent as such Justice shall think reasonable and necessary, and also to his Expense of returning again; and all such Expenses as aforesaid shall be defrayed by the Sub-Inspector of Constabulary of the County and District in which the Offence shall be charged to have been committed, or from which (in the Case of a Lunatic) such Lunatic shall have been so conveyed, out of any Funds in his Hands applicable to the Maintenance of the said Constabulary Force; and the several Sub-Inspectors of the Constabulary Force in each County shall transmit once in each Month to the County Inspector Accounts duly vouched of the Expenses so incurred as aforesaid chargeable on such County, County of a City, or County of a Town; and such County Inspector shall certify to the best of his Knowledge and Belief as to the Accuracy of such Accounts, both as regards the Number of Officers or Men of such Constabulary Force employed in such Service, and the Time they were so employed, and also as regards any extra Pay to which any such Officers or Men are entitled under the Regulations of the said Force, and also as regards any other Charge made in such Account; and such Accounts, when so certified, shall be transmitted by such County Inspector to the Board of Superintendence of the County Gaol of the County, County of a City, or County of a Town for which he shall act; and such Board of Superintendence are hereby empowered and required, without any unreasonable Delay, to examine such Accounts, and upon being satisfied of their Reasonableness and Accuracy they are hereby

in pursuit of Offenders;

in carrying Witnesses;

in carrying stolen Property, and in attending Assizes, &c.;

to be certified by Justice;

and to be paid by Sub-Inspector of Constabulary.

Accounts of such Expenses to be laid before Boards of Superintendence of Gaols, and paid under their Order; Monies to be presented by Grand Juries.

hereby empowered and required either to pay the same out of any Funds under their Control, or to grant an Order or Orders, signed by any Two or more Members of such Board, directed to the County Treasurer or Finance Committee, as the Case may be, requiring him or them to pay to the respective Sub-Inspectors therein named the several Sums payable to them upon such Accounts; and each such Board of Superintendence shall and they are hereby required before each Assizes or Presenting Term to prepare an Estimate of all such Sums as they shall deem to be necessary to cover the said Expenses as aforesaid for such County, County of a City, or County of a Town for the ensuing Half Year, or for the ensuing Year in the Case of the County of *Dublin*, and shall cause the same to be laid before such respective Grand Jury at the Assizes or Presenting Term; and each such Grand Jury shall and they are hereby required to present the Sum specified in such Estimate to be raised from the County at large, County of a City, or County of a Town, as any other Sums presented at such Assizes or Presenting Term, which Sums, when so raised, shall be applicable to the Payment of the Orders made as aforesaid for the Payment of such Expenses; and if the Sums so raised as aforesaid shall prove insufficient, the said Treasurer or Finance Committee shall apply to such Payments any other available Funds in his or their Hands; and in the Case of any such Monies not being duly paid as aforesaid, and also in the Case of Monies advanced by the Receiver of the Constabulary Force, or other Person, by the Authority of the Chief or Under Secretary of the Lord Lieutenant, or the Inspector General of the said Constabulary Force, for the Pursuit or Apprehension of any Person charged with the Commission of any Offence as aforesaid, the Amount of the Monies so unpaid as aforesaid, and also the Amount of the Expenses incurred in such Pursuit or Apprehension, shall be included in the Certificate which the said Inspector General is required to make of the Expenses of the Constabulary Force chargeable on the respective Counties, Counties of Cities, or Counties of Towns, and the same shall be dealt with, presented, and paid as any other Sums included in such Certificate: Provided always, that a Statement of the Items of Account of Expenses so chargeable shall be transmitted to such Grand Jury, together with such Certificate: Provided also, that nothing in this Section contained shall commence or take effect until on and from the First Day of *April* in the Year One thousand eight hundred and fifty-two.

Sums advanced for the Pursuit of Offenders to be repaid by Presentment.

V. And whereas by an Act of the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act for the better Collection of Fines, Penalties, Issues, Deodands, Amerciaments, and forfeited Recognizances in* Ireland, *and for the Appropriation thereof*, certain Duties, Matters, and Things are directed and provided to be performed by such Paymasters as aforesaid: Be it enacted, That

6 & 7 Vict. c. 56.

Duties directed by recited Act to be performed by Paymaster to be performed by such Officer as may be directed by Inspector General.

That all such Duties, Matters, and Things so directed and provided to be performed or done under the said Act by any such Paymaster as aforesaid shall be performed and done by such Officer or Officers of the Constabulary Force as the said Inspector General, with the Approval of the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall direct in that Behalf, and the said Provisions of the said Act shall apply to such Officer or Officers in like Manner as to such Paymaster as aforesaid.

Incapacitated Persons enabled to make Grants or Leases of Lands for the Use of the Constabulary.

VI. And whereas it is expedient to make further Provision for facilitating Grants or Demises of Lands or Houses for the Use of the Constabulary Force: Be it enacted, That it shall be lawful for all Bodies Politic, Corporate, and Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, or for any other partial or qualified Estates or Interests, Husbands, Guardians, Trustees and Feoffees in trust for charitable or other Purposes, Committees, Executors or Administrators, and all Trustees and Persons whomsoever, not only for or on behalf of themselves, their Heirs or Successors, but also for or on behalf of the Person or Persons entitled in reversion, remainder, or expectancy after them, if incapacitated, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Feme Coverts, or other Person or Persons, and to and for all Feme Coverts who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in the same, and for all and every other Person or Persons whomsoever, who is or are or shall be seised, possessed, or interested in any Lands, Tenements, or Hereditaments, from Time to Time to grant or demise to the Receiver appointed or to be appointed under the said recited Act, or any Act amending the same, or to any Person or Persons to be nominated by him for the Purpose, but in trust for Her Majesty, Her Heirs and Successors, and for any Term of Years whatsoever, or other Term, any House or Houses not being the Mansion House of the respective Party, or belonging thereto, or any Portion of Ground not being the Garden, Yard, Lawn, or Park belonging to such Mansion House, and not exceeding One Acre, for the Purpose of the same being occupied, used, or built upon for the Use or Accommodation or for the Purposes of the said Constabulary Force, every such Grant or Demise to be made at such annual Rent as may be agreed on by or on behalf of the Inspector General of the said Force, and to be reserved to the Owner of the immediate Reversion in such House, Houses, or Land for the Time being expectant on such Term.

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