THIRD SCHEDULE.

Date of Act.	Title of Act.
48 George III. c. 77. - - -	An Act to enable His Majesty to vest the right of appointment of master of the Free School of Londonderry, in the city and county of Londonderry, in the Bishop of Derry for time being.
49 George III. c. 59. - - -	An Act for vesting a workhouse and premises situate in the city of Londonderry, in trustees to be sold, and for applying the purchase money in building another school-house, and for better regulating the same.

CHAPTER 80.

An Act to amend the Laws relating to the Royal Irish Constabulary.

[7th August 1874.]

WHEREAS it is expedient further to amend the laws relating to the Royal Irish Constabulary:

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, as follows:

Preliminary.

Interpretation of terms.

1. The following terms in this Act have the meanings herein-after assigned to them; (that is to say,)

"Lord Lieutenant" means the Lord Lieutenant or other chief governor or governors of Ireland:

"Constabulary force" means the Royal Irish Constabulary:

"Members of the constabulary force" means inspector general, deputy inspector general, assistant inspector general, commandant of the depôt, surgeon, veterinary surgeon, and every county inspector, sub-inspector, barrack master of the depôt, head constable, constable, acting constable, and sub-constable of the constabulary force:

Head and other constables" means every head constable, constable, acting constable, and sub-constable of the constabulary force:

The term "county" shall extend to and include county of a city, county of a town, county of a town and city, city and county and borough, in which there is a grand jury or town council exercising the powers of a grand jury as to presentments:

Power to Lord Lieutenant to fix revised salaries for constabulary force

2. It shall be lawful for the Lord Lieutenant, notwithstanding the limitations in any Act contained, to fix and appoint such revised annual salaries as to him may from time to time seem proper, subject to the conditions herein-after specified, to be paid in such manner and subject to such regulations and provisions as he may direct, to the several persons herein-after mentioned; (that is to say,)

1. To the inspector general, to the deputy inspector general, to the three assistant inspectors general, one being styled commandant of the depôt, and to the barrack master, such annual salaries respectively as the Commissioners of Her Majesty's Treasury may approve:
2. To the surgeon of the force, an annual salary not exceeding four hundred pounds:
3. To the inspector of constabulary for the town of Belfast, an annual salary not exceeding six hundred pounds:

4. To each county inspector of the first class, an annual salary not exceeding three hundred and fifty pounds:
5. To each county inspector of the second class, an annual salary not exceeding three hundred pounds:
6. To each sub-inspector of the first class, an annual salary not exceeding two hundred and twenty-five pounds:
7. To each sub-inspector of the second class, an annual salary not exceeding one hundred and sixty-five pounds:
8. To the head constable major, an annual salary not exceeding one hundred and four pounds:
9. To each head constable of the first class, an annual salary not exceeding ninety-one pounds:
10. To twelve head constables of the first class, of long service or superior merit, but ineligible for further promotion, an addition to their respective salaries under this Act of ten pounds per annum each:
11. To each head constable of the second class, an annual salary not exceeding eighty-three pounds four shillings:
12. To twelve head constables of the second class, of long service or superior merit, but ineligible for further promotion, an addition to their respective salaries under this Act of ten pounds per annum:
13. To each constable, an annual salary not exceeding seventy-two pounds sixteen shillings:
14. To sixty constables, of long service or superior merit, but ineligible for promotion, an addition to their respective salaries under this Act of four pounds per annum each:
15. To each acting constable, an annual salary not exceeding sixty-seven pounds twelve shillings:
16. To each sub-constable of twenty years service and upwards, an annual salary of sixty-two pounds eight shillings:
17. To each sub-constable of fourteen years and under twenty years service, an annual salary of fifty-nine pounds sixteen shillings:
18. To each sub-constable of eight years and under fourteen years service, an annual salary of fifty-seven pounds four shillings:
19. To each sub-constable of four years and under eight years service, an annual salary not exceeding fifty-four pounds twelve shillings:
20. To each sub-constable of six months and under four years service, an annual salary not exceeding fifty-two pounds:
21. To each sub-constable of less than six months service, a salary at a rate not exceeding thirty-nine pounds per annum:

Such salaries to take effect from and after the first day of July one thousand eight hundred and seventy-four, and to continue to be paid until the first day of July one thousand eight hundred and seventy-five, and to be in addition to the good service pay at present authorised, viz., to five county inspectors, fifty pounds per annum each; to six sub-inspectors of the first class, thirty pounds per annum each; and to twenty-three sub-inspectors, whether of the second or third class, twelve pounds per annum each.

Superannuation.

3. It shall be lawful for the Lord Lieutenant, under the conditions herein-after mentioned, to direct that any head or other constable appointed after the tenth day of August one thousand eight hundred and sixty-six may be superannuated, and receive a gratuity or yearly pension not exceeding the proportion of his salary stated in the scale herein-after mentioned; and it shall be lawful for the Commissioners of Her Majesty's Treasury, or any two or more of them, upon the recommendation of the Lord Lieutenant, to direct that any officer of the constabulary force, that is to say, any inspector general, deputy inspector general, assistant inspector general, commandant of the depôt, surgeon, veterinary surgeon, county inspector, barrack master of the depôt, or sub-inspector appointed after the tenth day of August one thousand eight hundred and sixty-six, may

be superannuated, and may receive a gratuity or yearly pension not exceeding the proportion of his salary stated in the scale herein-after mentioned; that is to say,

1. A gratuity of one month's salary for each year's service when such service has exceeded five years and been less than fifteen years:
2. On completion of fifteen years service, an annual pension of fifteen fiftieths of the salary may be granted, and an increase of one fiftieth for each successive year up to thirty years service completed:
3. After thirty years service, or after the person to be superannuated has attained the age of sixty years, the pension to be equal to thirty fiftieths of the salary, or to a larger proportion in cases of extraordinary merit or good conduct; provided that the particulars constituting such merit or conduct shall be set forth in the authority granting the pension, and that if the pension exceeds the amount which might have been granted for length of service only, it shall not be granted without the consent in writing of the Commissioners of Her Majesty's Treasury:
4. For injuries received at any time in the actual performance of duty, a pension may be granted of an amount in proportion to the injury received, not exceeding the full salary; provided that the grounds of disability shall be fully set forth in the authority granting the pension, and that if the pension exceeds the amount which might have been granted for length of service only, it shall not be granted without the consent in writing of the Commissioners of Her Majesty's Treasury.

Nothing herein contained shall entitle any member of the constabulary force absolutely to any superannuation allowance, nor prevent him from being dismissed or discharged for misconduct or other sufficient cause without superannuation allowance; and no surgeon hereafter appointed, and no veterinary surgeon who is not required by the terms of his appointment to give up private practice, shall be entitled to any pension or retiring gratuity under this Act.

No such pension or gratuity shall be granted in any case except on the certificate of the surgeon of the force, or such other competent medical officer or officers as the Lord Lieutenant shall name for the purpose, that the person is incapable from infirmity of mind or body to discharge the duties of his situation and that such infirmity is likely to be permanent, and the certificate of the inspector general (or in the case of the inspector general's superannuation, then on the certificate of the chief secretary to the Lord Lieutenant), that he has served with diligence and fidelity: Provided that any member of the force who shall have served thirty years, or who has attained the age of sixty years or upwards, may upon his petition, be superannuated without such medical certificate.

Saving rights.

Save as by this Act expressly provided, the provisions of an Act passed in the session of Parliament held in the tenth and eleventh years of Her present Majesty, chapter one hundred, intituled "An Act to regulate the superannuation allowances of the Con- " stabulary Force in Ireland, and the Dublin Metropolitan Police," shall apply to the members of the constabulary force in Ireland appointed before the tenth day of August one thousand eight hundred and sixty-six, as fully and effectually as if this Act had not passed: Provided always, that any member of the constabulary force appointed as last aforesaid may be superannuated, if he so elect, according to the scale and on the conditions prescribed by this Act.

All pensions and gratuities granted to members of the constabulary force after the passing of this Act shall be computed according to the manner prescribed for the computation of superannuation allowances by section twelve of the Act of the session of the fourth and fifth years of the reign of His late Majesty William the Fourth, chapter twenty-four.

In calculating any superannuation which shall be granted according to the scale and on the conditions prescribed by this Act to members of the constabulary force, whether appointed before or after the tenth day of August one thousand eight hundred and sixty-six, the term salary shall include all allowances for lodging, house rent, and servant: Provided always, that the allowance in respect of lodging or house rent shall not exceed one sixth of the actual salary and other emoluments.

Forfeiture of pension for misconduct.

4. Such pension shall be granted only upon the condition that it becomes forfeited, and may be withdrawn by the Lord Lieutenant, in any of the following cases:

1. On conviction of the grantee for any indictable offence:
2. On his knowingly associating with suspected persons, thieves, or other offenders:
3. On his refusing to give information and assistance to the police whenever in his power for the detection and apprehension of criminals, and for the suppression of any disturbance of the public peace:
4. If it shall be discovered that the pension or retiring allowance of such person was granted upon statements or pretences which were to his knowledge false, or if he enter into or continue to carry on any business, occupation, or employment which shall be in the opinion of the Lord Lieutenant disgraceful or injurious to the public, or in which he shall make use of the fact of his former employment in the constabulary force in a manner which the Lord Lieutenant considers to be discreditable and improper.

Rate of charge upon counties for extra constabulary.

5. Section 12 of an Act passed in the session of Parliament held in the twenty-ninth and thirtieth years of the reign of Her present Majesty, intituled "An Act to amend an "Act to consolidate the laws relating to the Constabulary Force in Ireland," shall be and the same is hereby repealed; and in lieu thereof be it enacted, that where one moiety of the costs and expenses of any constabulary force is chargeable to any county or any part or district of a county, or any county of a city or county of a town, or borough or town in Ireland, there shall be charged to each such county, or part or district thereof, or county of a city or county of a town, or any such borough or town, such sum or sums as may be due at the rates per annum following:

For each sub-inspector, one moiety of the sum of one hundred and eighty-four pounds and seven shillings;

For each head-constable, one moiety of the sum of eighty-six pounds and twelve shillings.

Provided always, that it shall be lawful for the Lord Lieutenant, with the approval of the Commissioners of Her Majesty's Treasury, from time to time to fix and determine the further rates of charge to be paid by every such county, or part or district thereof, or county of a city or county of a town, or borough or town, on an average of the entire force of constables, acting constables, and sub-constables in Ireland, regard being had to the rate of pay sanctioned by this Act, and to the cost of clothing, medical attendance, barrack accommodation, fuel, local travelling expenses, and extra pay of such constables and other constables when absent from quarters.

And in all cases where, under the laws now in force, the whole of the costs and expenses of any constabulary force is chargeable to any county, or any part or district of a county, or any county of a city or county of a town, or any borough or town, in Ireland, there shall be charged to each such county, or part or district of such county, or county of a city, county of a town, borough, or town, per annum, the full cost of such constabulary force calculated in the manner last mentioned.

Rate of charge upon public companies for constabulary protection.

6. From and after the passing of this Act, in all cases where members of the constabulary force shall be required to keep the peace in the neighbourhood of railway works or other public works in Ireland, the costs and expenses of such members, calculated according to the rates in the preceding section mentioned, shall be charged upon the company or other parties carrying on such railway or other public works; and all sums so charged shall be payable to the inspector general, who shall pay over the same to Her Majesty's Exchequer in like manner as any other money payable thereto.

Canteen.

7. When any head or other constable shall hold any canteen under proper authority of the inspector general, it shall be lawful for any two justices within their respective jurisdictions to grant a certificate authorising the grant or transfer of any beer, wine, or spirit license to such persons without regard to time of year or to the notices required by any Act in respect of such licenses, and the Commissioners of Inland Revenue, or their proper officers within their respective districts, shall, upon production of such certificates, grant licenses as aforesaid; and any such constable so holding a canteen and having such license

may sell therein victuals and intoxicating liquors as empowered by such license, without being subject to any penalty or forfeiture; and so much of any Act as provides that any head or other constable who shall sell any beer, wine, or spirituous liquors shall be subject to any disqualification, loss of salary, or any other penalty, shall not apply to any such constable as aforesaid.

Two shillings per week to men in Belfast and Londonderry.

8. It shall be lawful for the Lord Lieutenant (if he shall so think fit) to order and direct that two shillings per week shall be paid by way of special allowance to head and other constables whilst serving in the town of Belfast and in the borough of Londonderry, with a view to meet the extra expense to which the men serving therein respectively are subject as compared with the remainder of the constabulary force; and the said additional sums shall be paid in like manner and out of the like funds as the pay of such head and other constables.

As to unclaimed money and goods found or stolen.

9. When any money or goods shall be found and shall be delivered over to any constable, or when any goods or money charged to be stolen or unlawfully obtained, and of which the owner shall be unknown, shall be in the hands of any constable, it shall be lawful for the inspector general, after the expiration of twelve calendar months during which no owner shall have appeared to claim the same, to sell or dispose of such goods or money, and pay over such money or proceeds to Her Majesty's Exchequer in like manner as any other money payable thereto.

Amendment of 6 & 7 W. 4. c. 13. s. 18. as to disabilities of members of constabulary force.

10. The disabilities imposed by the eighteenth section of the Act passed in the session of Parliament held in the sixth and seventh years of the reign of His late Majesty William the Fourth, chapter thirteen, shall not (except as to being elected or sitting as a member of the House of Commons) be taken or held to be applicable to any clerk in the office of the inspector general.

Estimate of charge to be presented to Parliament.

11. The Lords Commissioners of Her Majesty's Treasury shall cause to be submitted to Parliament annually an estimate of the sum which will from time to time be required to defray the expenditure which under this Act will be chargeable on moneys to be provided by Parliament.

Constabulary force fund.

12. From and after the passing of this Act the fund called the "Reward Fund," established under an Act passed in the session of Parliament held in the sixth and seventh years of the reign of His late Majesty William the Fourth, intituled "An Act to consolidate "the laws relating to the Constabulary Force in Ireland," shall be called by the new name of the "Constabulary Force Fund," and all enactments relating to the said reward fund shall be read and interpreted as if throughout the said enactments, wherever the police reward fund is mentioned or any reference to the same occurs, the said new name were substituted; and the said enactments shall be construed with the modification following; (that is to say,)

A deduction shall be made of such amount per cent. on the salary of each member of the constabulary force, not exceeding one and a half per cent. on the said salary, as the inspector general may with the approval of the Lord Lieutenant from time to time order and direct.

Repeal of enactments.

13. From and after the passing of this Act the enactments specified in the first column of the schedule to this Act annexed shall, to the extent specified in the second column of the said schedule, be and the same are hereby repealed.

Provided that such repeal shall not affect—

(1.) Anything duly done or suffered under any enactment hereby repealed; or,

(2.) Any right or privilege acquired or any liability incurred under any enactment hereby repealed.

Short title.

14. This Act may be cited for all purposes as "The Constabulary (Ireland) Act, 1874."