

ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

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CAP. XCII.

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. [12th *July* 1819.]

WHEREAS the Administration of Justice in *Ireland* is frequently obstructed for want of resident Justices of the Peace, and might be much furthered in case the Justices acting for Two or more adjoining Counties were enabled to act for the same, if personally present in either of those in which they act, as they are by Law enabled to do in *Great Britain:* 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 it shall and may be lawful for any Justice or Justices of the Peace, acting as such for any Two or more Counties, being adjoining Counties, in *Ireland*, to act as a Justice or Justices of the Peace in all Matters and Things whatsoever concerning or in anywise relating to any or either of the said Counties; and that all and every Act and Acts of such Justice or Justices of the Peace, and the Act and Acts of any Constable or other Officer in Obedience thereto, shall be as valid, good, and effectual in the Law, to all Intents and Purposes whatsoever, as if such Act or Acts of the said Justice or Justices had been done in the County or Counties to which such Act or Acts more particularly relate; and all Constables and other Officers of the said County or Counties, to which such Act or Acts relate, are hereby authorized and required to obey the Warrants, Orders, Directions, Act and Acts, of such Justice or Justices so granted, given, and done, and to do and perform their several Offices and Duties, under the Pains and Penalties to which any Constable or other Officer may be liable for a Neglect of Duty: Provided always, that such Justice or Justices be per-

Justices of the Peace in Ireland may act for adjoining Counties, provided they are resident in one of them.

Manner of directing Warrants.

personally resident in One of the said Counties at the Time of doing such Act or Acts: Provided also, that the Warrants, Orders, or Directions, so to be given and granted, be directed and given in the first Instance to the Constable or other Officer of the County to which the same more particularly relate.

Constables, &c. may carry Offenders before such Justices.

II. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for any Constable or other Peace Officer in *Ireland*, or for any other Person or Persons apprehending or taking into Custody any Person or Persons offending against Law, and whom they lawfully may and ought to apprehend and take into Custody, by virtue of his or their Office or Offices, or otherwise howsoever, to convey and take the Person or Persons so apprehended or taken into Custody as aforesaid, to any Justice or Justices of the Peace acting for the said County, and present in such adjoining County as aforesaid; and the said Constables and other Peace Officers, and all and every other Person or Persons, are hereby authorized, empowered, and required in all such Cases so to act in all Things as if the said Justice or Justices of the Peace was or were resident within the said County to which they respectively belong; and all and every Person or Persons obstructing or hindering the said Constables or other Peace Officers in the Execution of their respective Offices in the said County or Counties adjoining as aforesaid, shall be and are hereby made liable to the same Pains and Penalties for such Obstruction and Hindrance of the said Officers in the Execution of their respective Offices, as if the same had been committed in the County for which the said Constables or other Peace Officers were appointed to act.

Sheriffs, &c. may convey Offenders through adjoining Counties.

III. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for any Sheriff in *Ireland*, and for any Person or Persons deputed by him, or acting under his Authority, and for any Constable or other Peace Officer in *Ireland*, or any other Person or Persons lawfully taken into or having in his or their Custody respectively, any Person or Persons offending against Law, and whom he or they may or might lawfully convey to Gaol, or any Place of safe Custody, to convey or take the said Person or Persons so in Custody as aforesaid, into and through any Part or Parts of the said County or Counties so adjoining, in their Way to such Gaol or Place of safe Custody within the County wherein such Offence was done or committed; and all and every Person or Persons escaping from such Custody as aforesaid, or aiding or assisting such Escape or Escapes, or rescuing such Person or Persons so in Custody as aforesaid, shall be subject to the like Pains and Penalties for such Escape or Escapes, and for such Aid and Assistance so given as aforesaid, and for such Rescue and Rescues, as if the said Escape or Escapes had happened, or such Aid and Assistance had been given, or such Rescue or Rescues had been made, in the County wherein such Offence was done or committed.

Justices for Counties at large may act within any City being a County of itself;

IV. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for any Justice or Justices of the Peace acting for any County at large in *Ireland*, to act as such at any Place within any City or Town being a County of itself, and situate within, surrounded by, or adjoining to any such County at large; and that all and every such Act and Acts, Matters, and Things done by such Justice or Justices of the Peace for the said County at large, within such City or Town, shall be as valid and

effectual in the Law as if the same had been done within the said County at large, to all Intents and Purposes whatsoever: Provided always, that nothing in this Act contained shall extend to give Power to the Justices of the Peace for any County at large, not being Justices for such City or Town, or any Constable or other Officer acting under them, to act or intermeddle in any Matters or Things arising within any such City or Town, in any Manner whatsoever.

except as to Matters arising within the same City.

V. And whereas it is expedient to give such and the like Powers to Justices of the Peace in *Ireland*, to impose Fines upon Constables and other Peace and Parish Officers within their respective Jurisdictions, for Neglect of Duty in their respective Offices, or for Disobedience of the Warrants or Orders of such Justices, and also to impose Fines upon Masters of Apprentices for Ill-usage of their Apprentices, and also to make such Provision for the Execution of Warrants of Distress granted by Justices, as are by Law given and made in *Great Britain*; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for any Two or more of His Majesty's Justices of the Peace in *Ireland*, assembled at any Special or Petty Sessions of the Peace, upon Complaint being made upon Oath before them of any Neglect of Duty, or of any Disobedience of any lawful Warrant or Order of any Justice or Justices of the Peace, by any Constable or other Peace or Parish Officer, or upon Complaint made to such Two or more Justices upon Oath by or on the Behalf of any Apprentice to any Trade or Business whatsoever, whether bound Apprentice by any Parish or Township or otherwise (provided that not more than the Sum of Ten Pounds be paid upon the binding of such Apprentice), against his or her Master or Mistress of any Ill-usage of such Apprentice by such Master or Mistress (such Constable or other Officer, Master or Mistress having been duly summoned to appear and answer such Charge or Complaint), to impose upon Conviction any reasonable Fine or Fines, not exceeding the Sum of Forty Shillings, upon such Constable or other Officer, Master or Mistress respectively, as a Punishment for such Disobedience, Neglect of Duty, or Ill-usage, and by Warrant under the Hands and Seals of any Two or more of such Justices assembled at any Special or Petty Sessions as aforesaid, to direct such Fine or Fines, if not paid, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, rendering the Overplus (if any), after deducting the Amount of such Fine or Fines, and the Charges of such Distress and Sale, to such Offender or Offenders; and such Fine or Fines which may be imposed upon any such Constable or other Officer as aforesaid, shall be applied and disposed of for the Relief of the Poor of the Parish, Township, or Place where the Offenders shall respectively reside, at the Discretion of the Justices imposing the same; and such Fine or Fines which may be imposed upon any such Master or Mistress shall, at the Discretion of the Justice imposing the same, be either so applied and disposed of as aforesaid, or be otherwise paid and applied to or for the Use and Benefit of such Apprentice, for or towards a Recompence or Compensation for the Injury which may have been by him or her sustained by reason of such Ill-usage as aforesaid; and if any Person shall be aggrieved, by the Imposition of such Fine or Fines as aforesaid, or by any Order or Warrant of Distress for raising and levying the same, or by the Judgment or Determination of the said Justices, or by any Act to be done in the Execution of such Warrant of Distress,

Justices may impose Fines upon Constables, &c. for Neglect of Duty, and on Masters for Ill-usage of Apprentices.

Application of Fines.

Appeal.

tress, such Person or Persons so aggrieved shall and may appeal to the next General or Quarter Sessions of the Peace to be held for the County, County of a City, or County of a Town, within which such Person shall reside; of which Appeal Ten Days Notice at the least shall be given; and for want of such Distress such Person or Persons shall be committed to the House of Correction for any Space of Time not exceeding Ten Days.

Imprisonment.

Proviso for Irregularity in Proceedings, &c.

VI. Provided always, and be it further enacted, That no Person, acting under any such Warrant of Distress as aforesaid, shall be deemed a Trespasser *ab initio* by reason of any Irregularity or Informality in such Warrant, or in any Proceedings thereon; but any Person aggrieved by the issuing or Execution of such Warrant, may recover the special Damages thereby by him or her sustained in an Action of Trespass or on the Case, in any of His Majesty's Courts of Record in *Ireland*.

In what Case Distress may be levied in other Places.

VII. And whereas Warrants of Distress granted by Justices of the Peace are in many Instances ineffectual, by reason of the Goods and Chattels of the Persons against whom such Warrants are granted, being out of the Jurisdiction of the Justice granting the same; be it therefore enacted, That in all Cases where any Penalty, Forfeiture, Fine, or other Money may, by the Warrant of any Justice or Justices of the Peace in *Ireland*, be directed to be levied by Distress and Sale of the Goods and Chattels of any Person or Persons, if sufficient Distress cannot be found within the Limits of the Jurisdiction of the Justice granting such Warrant of Distress, on Oath thereof made by One Witness, before any Justice of the Peace of any other County, County of a City or Town, Town Corporate or Place (which Oath shall be by him certified by Indorsement on such Warrant), such Penalty, Forfeiture, Fine, or other Money, or so much thereof as may not have been before levied or paid, shall and may, by virtue of such Warrant or Indorsement, be raised and levied by the Person or Persons to whom such Warrant of Distress shall have been originally directed, by Distress and Sale of the Goods and Chattels of such Person or Persons in such other County, County of a City or Town, Town Corporate or Place; and the Money arising by such Distress and Sale shall be applied and disposed of for such Purposes and in like Manner as if sufficient Goods and Chattels of such Person or Persons had been found within the Jurisdiction of the Magistrate originally granting such Warrant; and if no such Distress can be found, such Offender or Offenders shall and may be forthwith proceeded against according to Law: Provided always, that no Justice, who shall indorse any Certificate upon or authorize the Execution of any such Warrant of Distress, which may not have been granted within his Jurisdiction, shall be answerable or accountable for any Irregularity which may have been committed or done in or about the obtaining or granting of such Warrant of Distress.

Justices indorsing Warrants, &c. not answerable for Irregularity in granting them.

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