

ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

CAP. CII.

An Act to amend the Law relating to Court Houses in *Ireland*. [10th *August* 1840.]

WHEREAS there are in Parts of *Ireland* Court Houses so situated as to be capable of being used with Advantage for the Purposes of the County adjoining to that in which they have been erected, and others may be so built hereafter; and it is expedient to permit such Use thereof: 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 it shall be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council, to order or direct that the Court of Quarter Sessions, Civil Bill Court, Court for Registration of Votes, or other Court to be holden before any Justices of the Peace or Assistant Barrister for any County in *Ireland* shall hold its Sittings, and do and transact all the Business, Civil and Criminal, of such Court, in any Court House situate in a County adjoining to the County for which such Court may be so holden, and not distant more than One Mile from the common Boundary thereof; and such Court shall thereupon have Power to use such Court House for all or any of the Purposes aforesaid, and to cause to come and call before

Lord Lieutenant, with Advice of Privy Council, may direct that certain Courts may transact Business in a Court House of adjoining County.

before it therein all Sheriffs, Gaolers, Clerks of the Crown and Peace, and other Officers and Ministers of Justice of or belonging to the County for which such Court may be holden; and all Jurors, Witnesses, Parties, and Persons shall be bound to attend such Court at such Court House; and any Prisoners committed or remanded by such Court, or attending such Court for Trial, may be lawfully confined, under the Order of such Court, or for the Space of Twenty-four Hours previously to its Sitting, in any Prison or Place of Confinement at a convenient Distance from such Court House in the County in which such Court House is situate, although such Court shall be then held or such Sitting as aforesaid shall be had for the adjoining County; and that all Matters and Things whatsoever done by such Court in such Court House under the Authority of this Act shall be valid and effectual in the Law to all Intents and Purposes whatsoever as if the same were done and transacted in some Court House situate within the County to which the same may relate; and all Sheriffs and other Persons having the Custody or Charge of any such Court House shall, at all Times when required, permit the Use thereof for the Purposes of this Act.

Lord Lieutenant may direct that an annual or half-yearly Sum shall be paid for the Use of such Court House by the County, &c. for which it shall be used.

II. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in and by any Order made under the Power herein-before given, or by any supplementary Order, to direct that such annual or half-yearly Sum as to him or them shall seem fit shall be paid, in consideration of the Use of any such Court House as aforesaid, by the County, Riding, or Division, County of a City, County of a Town, or Town and Liberties, for which the Use thereof shall be permitted under this Act; and the Grand Jury of such County shall and they are hereby required to present the same, to be levied off such County, and to be paid to or to the Credit of the Treasurer of the County in which such Court House shall be situate, in aid of the Presentments made or to be made by the Grand Jury of that County for the Support of such Court House, and the Payment of the Persons employed to take charge thereof; and every such Presentment shall be made without any previous Application to Presentment Sessions in the County in which the Court House shall not be situate.

Upon the Application of several Grand Juries, Lord Lieutenant may direct that they shall unite for the building of a common Court House.

III. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, upon Application from the Grand Juries of any Two or more Counties in *Ireland*, to order and direct that such Counties may and shall unite in and for the building and providing of One common Sessions Court House for such Two or more Counties at any Place not distant more than One Mile from the common Boundary thereof, and to fix in what Proportions the Expences of such Building, and of the Repairs and future Maintenance thereof, and of the Salaries of the Keepers thereof, shall be borne by each such County, and the same shall be presented for, erected, and maintained accordingly, as by Law is now or hereafter may be provided for the building and Maintenance of Court Houses in *Ireland*; and every such Court House, when so erected, shall be a legal Court House

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of and for each of such Counties, and for such Riding or Division of any such County, as the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice of the Privy Council, may direct, for all Purposes for which any Court may be holden for such County, Riding, or Division.

Such Court House shall be deemed to be situate in the County, &c. for which the Court shall be held.

IV. And be it enacted, That whenever and during the Time that any Court of Quarter Sessions Court, or other Court as aforesaid, for any County, shall be held in any Court House under the Authority of this Act, such Court House shall be construed and taken for all Purposes connected with such Court, or with any Business or Proceeding therein, to be situate within the County for which, or for any Riding or Division of which, such Court shall be held for the Time being, and to be Part and Parcel thereof.

Removal of Prisoners not to be deemed an Escape.

VI. And be it enacted, That the Removal of any Prisoner to or from any such Court House as aforesaid, by the Sheriff, Gaoler, or other Officer having charge of such Prisoner, out of the County to which such Sheriff, Gaoler, or other Officer may belong, shall not be deemed in Law to be an Escape of such Prisoner.

Interpretation Clause.

VII. And be it enacted, That in the Construction of this Act the Word "County" shall be construed to include in its Meaning County of a City, County of a Town, Town and Liberties, and Riding or Division of a County; and that whenever in this Act Words are used importing the Singular Number or the Masculine Gender only, it shall be understood to include several Matters as well as one Matter, and several Persons as well as one Person, and Females as well as Males; unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Limit of Act.

VIII. And be it enacted, That this Act shall extend only to *Ireland*.

Act may be amended.

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

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