ANNO QUINTO

GEORGII IV. REGIS.

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C A P. CII.

An Act to amend an Act of the Forty-eighth Year of the Reign of His late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies within the District of *Dublin* Metropolis. [21st *June* 1824.]

WHEREAS by virtue of an Act made in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies within the District of* Dublin *Metropolis,* His Majesty's Castle of *Dublin*, and all Places within Eight Miles thereof, have been united in and now form One District, called 'The Police District of *Dublin* Metropolis;' and conformably to the Provisions of the said Act in such Behalf, the said District hath been divided into and consists of Six Divisions, in each of which Divisions One Public Office is established, and to each of which Offices are attached Three Divisional Justices, making in the whole Eighteen Divisional Justices, appointed and acting as such Justices, under the Authority of the said recited Act: And whereas it may be expedient that the Number of the said Divisions and Police Offices, and the Number of the said Divisional Justices respectively, should be reduced: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, 48 G.3. c.140.

and Commons, in this present Parliament assembled, and by the Authority of the same, That at any Time after the passing of this Act, it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall think fit so to do, by Warrant under Hand and Seal, to divide the whole of the said Police District of *Dublin* Metropolis into Four Divisions, in lieu of the Six Divisions into which such District is at present divided, and to ascertain, direct, declare, and define the Limits of such Four Divisions respectively, and to cause Four several Public Offices to be established, One thereof in and for each of such Four Divisions, and to cause such Four Divisions, and the Limits thereof, and the Offices therein, to be changed from Time to Time, as such Lord Lieutenant or other Chief Governor or Governors shall think fit and proper, at his and their Will and Pleasure.

Lord Lieutenant empowered to divide Police District into Four Divisions instead of Six, and to cause Four Police Offices to be established

II. And be it further enacted, That in case and whenever the said Police District shall be divided into Four Divisions in Manner aforesaid, it shall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, and he and they is and are hereby empowered and required, to select from and out of the Divisional Justices appointed or who may be appointed under the Authority and Provisions of the said recited Act, and who shall be acting as such Justices at the Time of such Division, such Twelve of the said Divisional Justices, consisting of Four Barristers, Four Aldermen of the City of *Dublin*, and Four Sheriffs Peers, or Members of the Common Council of the said City, as such Lord Lieutenant or other Chief Governor or Governors, in the Exercise of his or their Discretion, shall think proper; and that Three of such Divisional Justices, that is to say, One Barrister, One Alderman, and One Sheriffs Peer or Member of the Common Council, shall be attached to each of the said Four Police Offices to be established under this Act: Provided always, that Two of the said Four Aldermen, and Two of the said Four Sheriffs Peers, or Members of the said Common Council so to be selected, shall be such Aldermen and Sheriffs Peers or Members of the said Common Council, as were originally elected by the Corporation of the City of *Dublin*, under the Provisions of the said recited Act.

On such Division Lord Lieutenant shall select Divisional Justices, consisting of Four Barristers, Four Aldermen, and Four Sheriffs Peers, One of each of whom shall be attached to each of the Four Offices.

Two Aldermen and Sheriffs Peers to be selected out of those elected by Dublin Corporation.

III. And be it further enacted, That upon such Reduction it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, and he and they is and are hereby authorized and empowered, in the Exercise of his or their Discretion, either to dismiss altogether and to supersede any Six of the Justices of the said Police District of *Dublin* Metropolis, that is to say, any Two Barristers, Two Aldermen, and Two Sheriffs Peers or Members of the Common Council, and also to dismiss or supersede the Clerks and Chief Constables of the Offices belonging to Two of the present Six Divisions of the said Police District, and to direct that any of such Justices, Clerks, and Chief Constables respectively, shall be allowed and shall receive Two-thirds of their present Salaries respectively, for the Period of their several natural Lives, or otherwise to attach all or any of such Justices, Clerks, and

Justices, Clerks, &c. may be superseded at Discretion of Lord Lieutenant, on Two Thirds of their Salaries; or attached to some of the Four Offices with full Salary.

and Chief Constables to some one or more of such Divisional Offices as shall remain or be established by virtue of this Act, to attend and act therein as Supernumerary Magistrates Clerks and Chief Constables, retaining their full Salary; and the Vacancies in the Offices of the Twelve selected Divisional Justices shall, from Time to Time as they occur, be filled up from and out of such Supernumerary Magistrates, so that finally there shall be but Twelve Divisional Justices: Provided always, that whenever any such Vacancy shall arise, from the Death, Resignation, or Removal of a Barrister, and there shall not be any Barrister amongst such Supernumerary Magistrates, or from the Death, Resignation, or Removal of an Alderman, and there shall not be any Alderman amongst such Supernumerary Magistrates, or from the Death, Resignation, or Removal of a Sheriffs Peer or Common Councilman, and there shall not be any Sheriffs Peer or Common Councilman amongst such Supernumerary Magistrates, then and in every such Case such Vacancy shall be filled up within One Calendar Month, by the Appointment of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, or by Election and Approbation in Manner in the said recited Act mentioned; and such Appointment shall be made by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, whenever the Vacancy is occasioned by the Death, Removal, or Resignation of any Person originally appointed by him or them, or by his or their Predecessors; and such Election shall be made by the Corporation of the City of *Dublin*, in Manner directed by the said recited Act, whenever the Vacancy shall be occasioned by the Death, Removal, or Resignation of any Person originally elected by them respectively; it being the true Intent and Meaning of this Act, that the Twelve Divisional Justices of such Four Divisions shall be appointed by the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, and elected by the Corporation of the City of *Dublin* respectively, in the same Proportions as the Eighteen Divisional Justices under the said recited Act are directed to be appointed and elected, that is to say, that the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall appoint Eight out of such Twelve Divisional Justices, namely, Four Barristers of at least Six Years Standing, Two Aldermen of the City of *Dublin*, and Two Persons being Sheriffs Peers or Members of the Common Council of the said City; and that the said Corporation of the City of *Dublin* shall elect the other Four Divisional Justices, to wit, Two Aldermen, and Two Sheriffs Peers or Common Councilmen; and any Vacancies in the Offices of Clerks or Chief Constables, at any of such Four Divisional Offices, shall, from Time to Time as they occur, be filled up from and out of the Supernumerary Clerks and Chief Constables acting under the Provisions of this Act.

Vacancies of Justices to be filled up out of Supernumerary Magistrates of same Description; or otherwise to be supplied by Appointment of Lord Lieutenant, or Election of Corporation under 48G.3.c.140.

The Twelve Justices to be appointed by Lord Lieutenant and Corporation, in like Proportion as the 18 Justices, under 48G.3.c.140.

Vacancies of Clerks, &c. shall be supplied from the Supernumeraries.

IV. Provided always, and be it enacted, That all Allowances of any Proportion of Salary to any Justices, Clerks, or Chief Constables, superseded under or by virtue of this Act, shall be charged and chargeable on the Funds applicable to the Establishment of the said Police; and that the Payment of any and every such annual Allowance shall altogether cease and be suspended during any Period while

Allowances to Justices, &c. charged on Police Establishment, and shall be suspended on

Appointment to any Office with a Salary equal to that of the Office suspended, and in proportion if to an Office with a less Salary.

while the Person to whom such Allowance shall be granted shall hold any Office, Place, or Employment under His Majesty, or under the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Salary or Profits whereof shall be equal to or shall exceed the Salary which was enjoyed by such Person as such Justice, Clerk, or Chief Constable at the Time of his vacating such Office respectively; and that the Payment of a proportional Part of such annual Allowance shall cease and be suspended during any Period while the Person to whom the same shall be granted shall hold any Office, Place, or Employment under His Majesty, or under the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Salary or Profits whereof shall be less than the Salary which was enjoyed by such Person as such Justice, Clerk, or Chief Constable, so that the Amount of such annual Allowance, together with the Salary and Profits of any such Office, Place, or Employment, shall not together exceed the Amount of the Salary enjoyed by such Person at the Time of his being superseded as aforesaid.

On Reduction of the Police Divisions, 48G.3.c.140. shall continue in force with respect to reduced Divisions.

V. And be it declared and enacted, That from and after the Time when the Divisions of the said Police District of *Dublin* Metropolis shall be reduced from Six to Four, and the Divisional Justices shall be reduced from Eighteen to Twelve, in Execution of the Powers herein-before for that Purpose given, all and singular Enactments, Provisions, Clauses, Articles, Matters, and Things contained in the said recited Act made in the Forty-eighth Year of His said late Majesty's Reign, shall be and continue to be in full Force, Operation, and Effect, to all Intents and Purposes whatever, as if the said recited Act had originally directed the Distribution of the said District into Four Divisions, instead of Six, and the Establishment of Four Public Offices, One thereof in each of the said Four Divisions, instead of Six Public Offices, and had likewise originally directed the Appointment and Election, in manner provided by the said recited Act, of Twelve Divisional Justices within the said District, instead of Eighteen Divisional Justices.

So much of recited Act as relates to Recovery of Fines, Penalties, &c. before Two Divisional Justices, repealed.

VI. And whereas it is by the said recited Act of the Forty-eighth Year of His late Majesty's Reign enacted, that in all Cases where any Fines, Penalties, or Forfeitures, or Shares of Fines, Penalties, or Forfeitures, were by any Law then in force, or should thereafter be limited and made payable to His said late Majesty, His Heirs and Successors, or to any Description of Persons other than the Informer or Informers who should sue for the same, or the Party grieved, and which should be recoverable in a summary Way before a Justice or Justices of the Peace, the same should and might, within the Police District of *Dublin* Metropolis, be sued for and recovered at some of the Police Offices to be established under the Authority of the said recited Act, before any Two of the Divisional Justices in such Act mentioned and described, and not before any Justice or Justices of the Peace out of the said Offices: And whereas it was also by the said recited Act enacted, that in all Cases not therein otherwise particularly described, all Trials and Convictions for any Offences or Offence against that Act, which should be committed within the said Police District of *Dublin* Metropolis, should be had and made

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respectively in the Offices of the Divisions in which they should respectively be committed, before not less than Two of the said Divisional Justices in such Divisions respectively: And whereas the said Provisions in the said recited Act have been found inconvenient; be it therefore enacted, That so much and such Parts of the said recited Act as direct or require that in the Cases and upon the Occasions herein-before mentioned there shall be Two Divisional Justices, shall be and the same is and are hereby repealed.

All Fines, Penalties, &c. recoverable in a summary Way, and all Trials for Offences (not otherwise directed) shall be recovered and had before One Divisional Justice.

VII. And be it further enacted, That from and after the passing of this Act, in all Cases where any Fines, Penalties, or Forfeitures are by any Law in force, or shall hereafter be limited and made payable to His Majesty, His Heirs and Successors, or to any Description of Person other than the Informer or Informers who shall sue for the same, or the Party aggrieved, and which shall be recoverable in a summary Way before a Justice or Justices of the Peace, the same shall and may, within the Police District of *Dublin* Metropolis, be sued for and recovered at some One of the Police Offices within such District, before any One of the Divisional Justices at such Office, and not before any Justice or Justices of the Peace out of the said Offices; and that all Trials and Convictions for any Offence against the said recited Act or this Act, in all Cases not therein or herein otherwise particularly directed, and which Offence shall be committed within the Police District of *Dublin* Metropolis, may be had and made respectively in the Offices of the Divisions in which any such Offence shall respectively be committed, before any One of the said Divisional Justices in such Divisions respectively; and the Proceedings in such respective Cases, by and before such One Divisional Justice, shall be as effectual to all Intents and Purposes, and shall have the same Consequence and Results as to Fines, Penalties, or Forfeitures, or Shares of Fines, Penalties, or Forfeitures, and the Appropriation thereof, and the accounting for and paying the same into the Hands of the Receiver of the Public Offices, and in every other Respect whatever, as if had before Two Divisional Justices in manner directed by the said recited Act, or as if the Jurisdiction herein given with respect to such Cases to One Divisional Justice had been expressly so given in and by and had constituted Part of the said recited Act; any thing in the said recited Act to the contrary thereof in anywise notwithstanding.

Powers and Jurisdiction of the Justices of the Castle Division extended to the whole Police District of the Dublin Metropolis.

VIII. And whereas it will be advantageous that the Jurisdiction of the Divisional Justices of the Castle Division of the said Police District of *Dublin* Metropolis should be in all respects co-extensive with the whole of the said Police District; be it therefore enacted, That all the Powers, Jurisdictions, and Authorities, of every Nature and Kind whatsoever, vested in or granted to the Divisional Justices of Police by virtue of the said recited Act of the Forty-eighth Year of His said late Majesty's Reign, or by virtue of this present Act, or of any other Act or Acts, or otherwise in any Manner whatsoever, and which are or may be exercised by the Divisional Justices of the Division in which His Majesty's Castle of *Dublin* shall be situate, touching and in respect to Offences, Breaches of the Law, Disputes, Matters or Things, committed, arising, or taking place, or alledged

to have been committed, or to have arisen or taken place within the Limits of the said Castle Division, shall and may be exercised by the said Divisional Justices of the said Castle Division or any of them, over, upon, and in respect to such Offences, Breaches of the Law, Disputes, Matters, and Things, in whatever Part of the Police District of *Dublin* Metropolis such Offences, Matters, or Things shall have been committed, or shall have arisen or taken place, or shall be alleged to have been committed, arisen, or taken place, although such Part of the said Police District shall not be locally situate within the Limits of the said Castle Division, and to all Intents and Purposes in every respect, as if such Offences, Matters, or Things had been committed, or had arisen or taken place, or were alleged to have been committed, arisen, or taken place, within the local Limits of the said Castle Division; any thing in the said recited Act or in this Act, or in any other Act to the contrary thereof in anywise notwithstanding.

Each of the Justices of the Castle Division shall be a Justice of the Peace for the Counties of Dublin, Wicklow, Kildare, and Meath.

IX. And whereas the Apprehension of Traitors, Felons, and other Offenders against the Law would be facilitated, and thereby the Administration of Justice be in many Instances rendered more certain, if the Divisional Justices of the Castle Division should have and exercise the Authority and Power of Justices of the Peace for the Counties immediately adjoining the said Police District of *Dublin* Metropolis; be it therefore enacted, That from and after the passing of this Act, each and every of the Divisional Justices for the Time being of the Division of the said Police District in which His Majesty's Castle of *Dublin* shall be situate, shall be to all Intents and Purposes, and shall be deemed and taken to be, and is hereby declared to be a Justice of the Peace within and for the Counties of *Dublin*, *Wicklow*, *Kildare*, and *Meath*.

Constables and Peace Officers of the Police District empowered to execute Warrants granted by the Justices of the Castle Division in the said Four Counties.

X. And be it further enacted, That all Constables and Peace Officers of, for, and within the Police District of *Dublin* Metropolis, appointed and acting as such under the Authority of the said recited Act of the Forty-eighth Year of His late Majesty's Reign, or of this Act, shall for the Time being have full Authority and Power to execute, in the Counties of *Dublin*, *Wicklow*, *Kildare*, and *Meath*, any Warrant or Warrants which may be made and granted by the Divisional Justices of the said Castle Division, or any of them, under the Authority and Power vested in them by this present Act, with respect to the said Counties of *Dublin*, *Wicklow*, *Kildare*, and *Meath*, to all Intents and Purposes as if such Warrant or Warrants were executed or to be executed within the Limits of the Police District of *Dublin* Metropolis; and any and every Person obstructing or hindering such Constables or Peace Officers in the Execution of any such Warrant or Warrants, in any of the said Counties of *Dublin*, *Wicklow*, *Kildare*, or *Meath*, shall be and are hereby declared to be liable to the same Pains and Penalties for such Obstruction and Hindrance, as if such Offence had been committed within the said Police District of *Dublin* Metropolis.

Informations taken by the Justices of the Castle

XI. And be it further enacted, That in every Case where any Divisional Justices or Justice of the Castle Division of the Police District of *Dublin* Metropolis, shall take any Information or Informa-

tions, under the Authority by this Act given to them as Justices of the Peace in or for the said Counties of *Dublin*, *Wicklow*, *Kildare*, and *Meath*, such Divisional Justices or Justice shall in due Time before the Assizes then next ensuing, or before the then next Sitting of the Court of Quarter Sessions, as the Case may be or require, return all and every such Informations or Information to the Clerk of the Crown or Clerk of the Peace, or other proper Officer for the particular County where the Offence stated in any such Information shall be alleged to have been committed; and such Clerk of the Crown or Clerk of the Peace, or other proper Officer, shall thereupon give a Receipt in Writing, under his Hand, for such Information or Informations: Provided always, that no Justice or Justices of the said Castle Division shall in any Instance be compellable to act as a Justice or Justices of the Peace for the said Counties of *Dublin*, *Wicklow*, *Kildare*, and *Meath*, or any of them, at any Place out of the Public Office of the said Castle Division, nor to act as such Justice or Justices for the said Counties, or any of them, upon any Information or Informations tendered or offered to be sworn, where the Offence charged shall not amount to Treason or to Felony.

Division, as Justices of the Four Counties, shall be returned to the Clerk of the Crown, &c.

Justices of the Castle Division not compellable to act out of their Office, or in Offences not being Treason or Felony.

XII. And be it further enacted, That in all Cases where any Treason or Felony shall have been or shall be committed in any Part of the Police District of *Dublin* Metropolis, whether within or without the local Limits of the Castle Division, it shall and may be lawful to and for the Divisional Justices of the said Castle Division, or any Two of them, by Warrants under their Hands and Seals, to direct that such Rewards or Recompence as they shall think proper, shall be given to any Person or Persons who shall apprehend or prosecute, or who shall give Information tending to the Conviction of any Person or Persons who shall be accused of such Offences; and such Rewards shall be paid out of the Funds applicable to the Expences of the Police Establishment, provided that the Sum to be so given shall not in any Case exceed Twenty Pounds.

Divisional Justices of the Castle empowered to direct Rewards for the Apprehension of Offenders.

XIII. And whereas under and by virtue of the said recited Act of the Forty-eighth Year of the Reign of His said late Majesty, it is necessary that Warrants granted by the said Divisional Justices, to break open any Dwelling House, Outhouse, Shop, Warehouse, Cellar, or other Place named in such Warrants, as shall not be opened on Demand after due Notice of such Warrants, in order to search for Traitors or Felons, or Accessories to any Traitors or Felons, or Receivers of stolen Goods, or to search for any Goods, Chattels, or other Things stolen or feloniously taken or carried away, should respectively be so granted by Two Divisional Justices, and that One of such Divisional Justices should be an Alderman: And whereas the Provisions of the said Act in such Respects have been found to be productive in many Instances of great Delay to public Justice; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for any and every Constable appointed or to be appointed under the said recited Act, or who may be appointed under this Act, being duly authorized thereto by the Warrant of any One Divisional Justice of the said Police District of *Dublin* Metropolis, and which Warrant any One such Divisional Justice, whether he

Constables empowered to break open Dwelling Houses, &c. on the Warrant of One Divisional Justice, to search for Traitors, Felons, &c.

he be an Alderman or not, on Information on Oath to him given, is hereby authorized to grant, to break open any Dwelling House, Outhouse, Shop, Warehouse, Cellar, or other Place named in such Warrant, as shall not be opened on Demand after due Notice of such Warrant, in order to search for any Traitor or Felon, or for any Accessory to any Traitor or Felon, or for any Receiver of stolen Goods, or to search for any Goods, Chattels, or other Things, stolen or feloniously taken or carried away; and any and every Warrant so to be granted by any such One Divisional Justice, shall to all Intents and Purposes be as valid and effectual in the Law as any Warrant in any such Case by Two Divisional Justices, One thereof being an Alderman, have been or could have been under the said recited Act; and the Divisional Justice who shall grant, and the Constable or Constables who shall execute any such Warrant so herein and hereby authorized, shall respectively have the same Privileges, Benefits, Advantages, and Defences, by virtue or on the Foot of any such Warrant, and upon any Proceedings whatever brought, had, or instituted against them, or any of them, on account of the issuing or execution of any such Warrant, and in every other respect whatever, as the Divisional Justices or Constables respectively have heretofore respectively had or could have had under the said recited Act, in Cases where, conformably with the Provisions thereof in that Behalf, such Warrants should or might have been granted by Two Divisional Justices, One thereof being an Alderman.

Three Divisional Justices, of whom One or more Justices of the Head Office shall constitute a Part, empowered to appoint and swear in Special Constables, to act without Emolument.

XIV. And whereas Occasions may arise where the Services of Special Constables, in addition to those ordinarily attached to the Establishment of the Police District of *Dublin* Metropolis, may be deemed necessary to the due Maintenance and Execution of the Law, and the effectual Preservation of the Public Peace within the said District; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for any Three Divisional Justices of the said Police District, of whom One or more of the Divisional Justices of the said Castle Division shall constitute Part, in all Cases of actual Tumult, Riot, or Felony, in any Part of the said Police District of *Dublin* Metropolis, or upon reasonable Apprehension thereof, grounded upon Information on Oath, and if the Exigency of the Occasion shall in the Judgment of such Divisional Justices so require, and such Justices are hereby authorized and empowered to appoint any Number of Persons to be Special Constables, to act as Constables within the said District for a certain Time to be limited by such Justices, without Fee or Reward, and to administer to such Persons so appointed the usual Oath administered to Constables appointed under the said recited Act of the Forty-eighth Year of His late Majesty's Reign; and such Special Constables when so appointed and sworn in shall, during the Time so to be limited by such Justices, have all the same Powers, Authorities, Privileges, Protections, and Advantages, and shall be subject to all the same Rules, Orders, Commands, and Regulations, as Constables duly appointed under the said recited Act: Provided always, that no such Special Constable shall be so appointed or sworn in, unless he shall consent to act as Constable without any Emolument, Fee, or Reward whatsoever; Provided also, that it shall and may be lawful to and for

for the Divisional Justices who shall have appointed such Special Constables, or the Majority of such Justices, before the Expiration of the Term during which such Constables shall have been authorized to act, to annul the Appointments made of such Constables either in the Whole or in Part, or to remove such Constables or any of them from the Office and Authority of Constables, and thereupon, and after Notice given in that Behalf, all the Authorities, Powers, and Privileges of any such Special Constable so removed, shall cease and determine to all Intents and Purposes whatsoever, and as if no such Appointment had ever been made.

Justices may annul the Appointment of such Special Constables.

XV. And whereas it is by the said recited Act among other Things enacted, that it shall be lawful for the Constables to be appointed under the Provisions of the said Act, or any of them, at all Times to enter into any Dwelling House or Place kept by any Victualler or Victuallers, or other Person or Persons selling or having Licence or Licences to sell Ale or Spirituous Liquors within the said Police District of *Dublin* Metropolis, and to apprehend and take into Custody every Journeyman, Apprentice, Servant, Artificer, or Labourer, who shall be found therein drinking, tippling, or gaming, at any Hours or Times which are or shall be prohibited by Law, not being a Lodger or Inmate in such House or Place, and to carry and convey such Persons so apprehended to the Public Office of the Division; and that every such Person, being duly convicted in a summary Way of such Offence, be set in the Public Stocks for Two Hours, or be committed to the House of Correction for any Time not exceeding One Month, at the Discretion of the Divisional Justices before whom such Person shall be so convicted: And whereas it is by the said recited Act further enacted, that if any Victualler or other Person selling or licensed to sell Beer, Ale, or Spirituous Liquors, or any Person or Persons aiding or assisting such Victualler or Person licensed as aforesaid, shall prevent or endeavour to prevent, by Threats or Violence, the said Divisional Justices respectively or any of them, or such Chief Constable or other Constable, as in the said recited Act mentioned, from entering any such Dwelling House or Place, and searching for such idle and disorderly Persons, or shall assault or otherwise resist such Divisional Justices, or any of them, or such Chief or other Constable, every such Person so offending shall, upon Conviction of every such Offence at the Sessions for the proper County, forfeit and pay the Sum of One hundred Pounds, or be committed to the House of Correction for any Time not exceeding One Month, at the Discretion of the Court before which such Person should be so convicted: And whereas it is by the said recited Act further enacted, that every such Victualler or Person licensed to sell Beer, Ale, or Spirituous Liquors, in whose Dwelling House or other Place such Person or Persons as aforesaid, or any Soldier, or any Person of the Female Sex, shall be found drinking, tippling, or gaming as aforesaid, shall, upon Conviction thereof, forfeit the Sum of Two Pounds for the First Offence, and shall for the Second Offence forfeit the Sum of Twenty Pounds, and shall for the Third Offence forfeit such Licence altogether, and that the same shall be null and void; and that it shall not be necessary, in order to warrant any such Conviction, that the Person or Persons so found drinking, tippling, or gaming, be previously or at all convicted thereof: And

So much of recited Act as relates to Journeymen, Apprentices, &c. tippling or gaming, &c. in Victualling Houses, repealed.

whereas the said recited Provisions have not been found to be sufficiently effectual for the Purposes intended; be it therefore enacted, That all and singular the said several last-recited Provisions of the said recited Act shall be and the same are hereby repealed, save only except so far as relates to any Act, Matter, or Thing done previous to the passing of this Act, or to any Proceeding had or taken, or to be had or taken, with regard to any Act, Matter, or Thing under the said recited Act.

Divisional Justices, Constables, &c. empowered to enter into any Dwelling House kept by a Victualler, &c. and to apprehend Journeymen, Apprentices, &c. tippling or gaming therein at prohibited Hours, or after Twelve o'Clock at Night, not being Lodgers or Inmates, and on Conviction before a Divisional Justice, the Party to be committed to the House of Correction for any Time not exceeding One Calendar Month.

XVI. And be it further enacted, That from and after the passing of this Act it shall and may be lawful for the Divisional Justices of the Police District of *Dublin* Metropolis, or any One of them, or for any Chief Constable, or for any Constable authorized for the Purpose by any One Divisional Justice within the Division for which such Justice shall be then acting, or by any One Divisional Justice of the Castle Division, to enter into any Dwelling House or Place kept by any Victualler or other Person selling or having a Licence or Licences to sell Beer or Ale or Spirituous Liquors within the said Police District of *Dublin* Metropolis, and to apprehend and take into Custody any and every Journeyman, Apprentice, Servant, Artificer, Labourer, Sailor, Seafaring Man or Soldier, or any Person of the Female Sex, who shall be found in such Dwelling House or Place, and who shall appear to be or to have recently been drinking, tippling, or gaming therein, at any Hour or Time which is or shall be prohibited by Law, or after the Hour of Twelve o'Clock at Night, not being a Lodger or Inmate of such House or Place, and to carry and convey, or cause to be carried and conveyed, every and any such Person so apprehended to the Public Office of the Division in which such Dwelling House or Place shall be situate; and every such Person being duly convicted in a summary Way of such Offence, before any One or more of the Divisional Justices of such Division, or of the Castle Division, shall thereupon, for every such Offence, forfeit any Sum not exceeding Twenty Shillings nor less than Five Shillings, as such Divisional Justice or Justices shall think fit; and if any Offender so convicted shall not forthwith pay the Sum so forfeited, such Offender shall be committed to the House of Correction for any Time not exceeding One Calendar Month, at the Discretion of such Justice or Justices: Provided always, that upon every such Proceeding any and every Person apprehended and charged before such Justice or Justices as a Servant, Artificer, Labourer, Sailor, Seafaring Man, or Soldier, shall be deemed and taken to be such respectively, unless satisfactory Evidence to the contrary thereof be given on his Behalf before such Divisional Justice or Justices; and that in all such Cases the Proof that the Person so apprehended and charged was a Lodger or Inmate in such House or Place where such Person shall have been apprehended, shall lie upon such Person respectively, and in the Absence of such Proof such Person shall be presumed not to have been such Lodger or Inmate: Provided also, that if any Offender convicted in Manner aforesaid shall be a Soldier on Full Pay, and attached to any Regiment in His Majesty's Service within the said Police District, a Communication shall be forthwith made thereof by the Justice or Justices before whom such Conviction shall have taken place, to the Commanding Officer of such Regiment; and the Offender so convicted shall be detained until delivered over to such Commanding Officer, or his Order, to be amenable to Military Discipline.

XVII. And

XVII. And be it further enacted, That if any Victualler or other Person selling or licensed to sell Beer, Ale, or Spirituous Liquors, or any Person or Persons aiding or assisting such Victualler or Person selling or licensed to sell as aforesaid, shall prevent or endeavour to prevent, by Threats or Violence, any such Divisional Justice or Justices, or any Chief Constable or other Constable or Constables as aforesaid, from entering any such Dwelling House or Place, and searching for such Person or Persons as aforesaid, or shall assault or otherwise resist any such Divisional Justice or Justices, or any such Chief or other Constable or Constables as aforesaid, every such Person so offending shall, upon Conviction of any such Offence before any One Divisional Justice of the District in which such Dwelling House shall be situate, or before any One Justice of the Castle Division, forfeit and pay any Sum not exceeding Ten Pounds; the same, in Default of Payment on Demand, to be levied by Distress and Sale of the Offender's Goods, and when levied to be paid over to the Receiver of the Public Offices of the said Police District; and in Default of a sufficient Distress for such Purpose, then it shall and may be lawful for such Divisional Justice to commit such Offender to the House of Correction, for any Space of Time not exceeding One Calendar Month, or until such Penalty shall be sooner paid.

Penalty on Victuallers, &c. opposing the Entry of any Divisional Justice, or Chief or other Constable, and Persons aiding and assisting, not exceeding 10*l.*;

to be levied by Distress and Sale; in Default Offender to be committed for One Month.

XVIII. And be it further enacted, That if any Victualler or other Person selling or licensed to sell Beer, Ale, or Spirituous Liquors, shall not on Demand made of Entrance, by knocking or otherwise, so as to be heard within, admit any Divisional Justice or Justices, or any Chief or other Constable or Constables as aforesaid, into any Dwelling House or Place of such Victualler or other Person, for the Purpose of making such Search as aforesaid; or if such Victualler or other Person selling or licensed to sell as aforesaid, shall neglect or delay, for an unreasonable Time after such Demand of Entrance, to admit any Justice or Justices, or any Chief or other Constable or Constables as aforesaid, into any Dwelling House or Place of such Victualler or other Person, in order thereby to defeat or counteract the Object of such Search or intended Search as aforesaid, such Victualler or other Person so offending shall, upon due Proof thereof before any One Divisional Justice of the Division in which such Dwelling House or Place shall be situate, or before any One Justice of the Castle Division, forfeit and pay for every such Offence any Sum not exceeding Five Pounds, at the Discretion of such Justice; the same, in Default of Payment on Demand, to be levied by Distress and Sale of the Offender's Goods, and when levied to be paid over to the Receiver of the Public Offices; and in Default of a sufficient Distress, then it shall and may be lawful for such Divisional Justice to commit the Offender to the House of Correction, for any Space of Time not exceeding Fourteen Days, or until such Penalty shall be sooner paid.

Penalty on Victuallers, &c. refusing to admit such Justices or Constables, not exceeding 5*l.*;

to be levied by Distress.

XIX. And be it further enacted, That every Victualler or other Person selling or licensed to sell Beer, Ale, or Spirituous Liquors, within the Police District of *Dublin* Metropolis, in whose Dwelling House or other Place any Journeyman, Apprentice, Servant, Artificer, Labourer, Sailor, Seafaring Man, or Soldier, or any Person of the Female Sex, shall be found, or shall appear to be or to have recently been drinking, tippling, or gaming therein, at any Hour or Time

Penalty on Victuallers, &c. in whose Houses Persons shall be found Tippling or Gaming, 2*l.* for First Offence, 20*l.* for the

Second, and 50*l.* for the Third, and Forfeiture of Licence.

Time which is or shall be then prohibited by Law, or after the Hour of Twelve of the Clock at Night, not being a Lodger or Inmate in such House or Place, shall upon Conviction thereof in a summary Way, before any One of the Divisional Justices of the Division in which such Dwelling House or Place shall be situate, or before any One Justice of the Castle Division, forfeit and pay the Sum of Two Pounds for the First Offence, and shall for the Second Offence forfeit and pay the Sum of Twenty Pounds, and shall for the Third Offence forfeit and pay the Sum of Fifty Pounds; and upon Conviction for such Third Offence, the Licence of such Victualler or other Person shall be forfeited, and shall be and become absolutely null and void; and the said Penalties of Two Pounds, Twenty Pounds, and Fifty Pounds, in Default of Payment on Demand, shall be levied by Distress and Sale of the Offender's Goods, and when levied shall be paid over to the Receiver of the Public Offices; and in Default of sufficient Distress, it shall and may be lawful for the convicting Justice to commit the Offender to the House of Correction, for any Space of Time not exceeding One Calendar Month: Provided always, that upon the Trial of any Information or Complaint for any such Offence, any Person having been in such Dwelling House or Place, and who in or by such Information or Complaint shall be stated to be a Journeyman, Apprentice, Servant, Artificer, Labourer, Sailor, Seafaring Man, or Soldier, shall be deemed and taken to be such respectively, unless satisfactory Evidence to the contrary thereof be given before such Justice; and that Proof that any Person so found was a Lodger or Inmate in such House or Place, shall lie upon such Victualler or other Person selling or licensed to sell as aforesaid; and in the Absence of such Proof, any such Person shall be presumed not to have been a Lodger or Inmate: provided also, that it shall not be necessary in order to warrant any Conviction of any such Victualler or Person selling or licensed to sell as aforesaid, for any such Offence as aforesaid, that any Person or Persons so found in such House or Place, under such Circumstances as aforesaid, be previously or at all convicted of any such Offence.

to be levied by Distress;

or Imprisonment not exceeding One Month.

Proof to be on Victualler that Parties tippling were not Apprentices, &c. or were Lodgers.

XX. And be it further enacted, That so much of the said recited Act of the Forty-eighth Year of His said late Majesty's Reign, as requires any Person opening or keeping an Hotel or Public House for the Entertainment of nightly Lodgers, to take out any Licence or to pay any Duty, or as imposes any Forfeiture or Penalty for or in respect of such Hotel or Public House for the Entertainment of nightly Lodgers, not being so licensed, shall be and the same is hereby repealed; save and except only so far as relates to any Proceeding had or taken or to be had or taken for the Recovery of any Duty for a Licence for keeping such Hotel or Public House, due and demandable at any Time before the passing of this Act, under the Provisions of the said recited Act; or for the Recovery of any Penalty legally incurred under the said recited Act at any Time before the passing of this Act.

So much of recited Act as relates to taking out Licence for keeping Hotels for Entertainment of nightly Lodgers, repealed.

XXI. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the Divisional Justices of the Castle Division of the said Police District for the Time being, or any Two of them, from Time to Time to make such Rules and Regulations with respect to the Stands and Stations, and the orderly

Justices of Castle Division empowered to make Rules and Regulations

orderly and regular Conduct of the Drivers of all Carriages (save and except Mail and Stage Coaches), Horses, Chaises, Jaunting Carts, Caravans, and other Vehicles whatsoever, publicly plying, or carrying Passengers for Hire to or from the City of *Dublin*, whether licensed or not, whenever such Carriages or other Vehicles respectively shall have arrived or shall be within the Police District of *Dublin* Metropolis, as to such Divisional Justices of the Castle Division shall seem fitting and expedient; provided always, that such Rules and Regulations shall be sanctioned and approved of by the Recorder of the City of *Dublin*; and if any Driver of any such Carriage shall not duly conform to such Rules and Regulations so to be made and approved as aforesaid, or any of them, or shall be guilty of any Offence contrary thereto, such Driver shall, upon Conviction before the Divisional Justices of the said Castle Division, or any one of them, in a summary Way, forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, and in Default of Payment thereof upon Demand, shall be committed to the Common Gaol or House of Correction for a Period not exceeding Fourteen Days, or until such Fine shall be sooner paid.

tions for the Stands and Conduct of Drivers of hired Carriages, &c. to be approved of by the Recorder.

Penalty on Drivers not conforming, 40*s*;

or Imprisonment for 14 Days.

XXII. And whereas by the said recited Act of the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, and certain Acts therein recited and referred to, the Provisional Justices of the Police District of *Dublin* Metropolis, have now vested in them full Power and Authority to hear and determine in a summary Way all Disputes which may arise between any Pawnbroker and any Borrower touching or concerning any Pawn or Pledge; but the said Divisional Justices have not Power or Authority to enforce the due Performance of such Determination or Adjudication, by reason whereof divers ill-disposed Persons are enabled to avoid Justice; be it therefore enacted, That from and after the passing of this Act, whenever any Dispute between any Pawnbroker and any Borrower, touching or concerning any Pawn or Pledge, shall be determined by the said Divisional Justices or any Two of them, and any Sum of Money shall be awarded to be paid, it shall be lawful, in case of Nonpayment of any such Sum of Money, for such Divisional Justices making such Determination, by Warrant under their Hands and Seals, to cause the Amount of any Sum of Money so awarded to be paid, to be levied by Distress and Sale of the Goods and Chattels of the Persons who shall be ordered to pay the same; and for want of sufficient Goods to satisfy such Sum, it shall be lawful for such Divisional Justices, by like Warrant, to commit the Person against whom any such Order or Award shall be made to any House of Correction within the said Police District, for any Period not exceeding One Calendar Month, or until such Sum shall be sooner paid and satisfied.

Two Divisional Justices empowered to hear and determine between Pawnbrokers and Borrowers;

and to levy the Money awarded by Distress;

and for want of Distress to imprison the Party for One Month.

XXIII. And whereas under and by virtue of a certain Provision in the said recited Act, passed in the said Forty-eighth Year of the Reign of His said late Majesty, it is required that the same Watch Constables and Watchmen should not be Two succeeding Nights in the same Watch-house; and such Regulation has been found inconvenient in Practice; be it therefore enacted, That so much of the said recited Act as enjoins such Dispositions of the Watch Constables and Watchmen, shall be and the same is hereby repealed; and that from

So much of recited Act as requires Watch Constables, &c. not to be Two succeeding Nights in the same Watch-house, repealed.

Divisional Justices to make Rules for Management of the Watch.

from and after the passing of this Act, the Arrangement in all respects of the said Watch Constables and Watchmen, with reference to the Watch-houses, shall be and the same is hereby committed to the Superintendence and Direction of the Divisional Justices of the Castle Division; and it shall be lawful for such Justices, or any Two of them, and they are hereby authorized, empowered, and required, from Time to Time, to make such Rules as shall appear to such Justices to be expedient or necessary in that Behalf.

Constables of the Nightly Watch, between Eight in the Afternoon and Six in the Forenoon, may take Bail, &c. from Persons in Custody charged with Petty Misdemeanors.

XXIV. And for the better Administration of the Police within that Portion of the Police District of *Dublin* Metropolis consisting of the City of *Dublin* and those Parts of the County of *Dublin* which are contiguous thereto; be it therefore enacted, That it shall and may be lawful for the Constables of the Nightly Watch, and each of them, appointed or to be appointed under the Authority of the said recited Act of the Forty-eighth Year of the Reign of His said late Majesty King *George* the Third, in the respective Watch-houses which they shall or may be appointed to attend, between the Hours of Eight in the Afternoon and Six in the Forenoon, to take Bail by Recognizance, without Fee or Reward, from any Person who shall be brought into the Custody of them or any of them within the said Hours, without the Warrant of a Divisional or other Justice of the Peace, charged with any petty Misdemeanor, if such Constable shall deem it prudent to take such Bail, for the Appearance of such Person before the Divisional Justices, or one of them, at one of the said Public Offices, to be specified in the Recognizance, for Examination, at the Hour of Nine in the Forenoon next after such Recognizance shall be taken, unless that Hour shall fall on a *Sunday*, and in that Case at the like Hour on the succeeding *Monday*; and that every Recognizance so to be taken shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before one of the said Divisional Justices; and every such Constable respectively shall enter in a Book, to be kept for that Purpose in every Watch-house, the Name, Residence, and Occupation of any Party, and his or her Sureties, entering into such Recognizance, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Divisional Justices or Justice as shall be present at the Time and Place when and where the Party is required to appear; and if the Party does not appear at the Time and Place required, or within One Hour after, the said Divisional Justices or Justice shall cause a Record of the Recognizance to be drawn up, to be signed by such Constable as aforesaid, and shall return the same to the next General or Quarter Sessions of the Peace for the City of *Dublin*, or for the County of *Dublin* respectively, as the Case may require, in which the Offence charged should be brought to Trial, with a Certificate at the Back thereof, signed by such Divisional Justice or Justices, that the Party has not complied with the Obligation therein contained, and the Clerk of the Peace shall make the like Estreats and Schedules of every such Recognizance, as of Recognizances forfeited in the Sessions of the Peace; and if the Party not appearing shall apply by any Person on his Behalf to postpone the Hearing of the Charge against such Party, and the Divisional Justices or Justice shall think fit to consent thereto, the said Justices or Justice

Recognizances to be taken and entered into a Book.

In Default of Appearance Recognizance to be estreated.

shall

shall be at liberty to enlarge the Recognizance to such further Time as they or he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint, or by binding the Party over to answer the Matter thereof at the Sessions, or other Court of competent Jurisdiction for the Trial thereof, the Recognizance for the Party's Appearance before the Divisional Justices or Justice shall be discharged without Fee or Reward.

Divisional Justices to make Rules for Management of the Watch.

XXV. And be it further enacted, That in any Proceeding by or before any Divisional Justice or Justices of the District of *Dublin* Metropolis, or by or before any Divisional Justice or Justices of the Castle Division, acting in pursuance of any special Authority or Jurisdiction as such Justices or Justice of the said Castle Division, it shall not be necessary for the summoning of any Witness under the said recited Act of the said Forty-eighth Year of His said late Majesty's Reign, or under this Act, that any Summons or Notice or Order whatsoever shall be personally served on any such Witness, but it shall in all such Cases be sufficient that such Summons, Notice, or Order be served, Twenty-four Hours previous to the Time appointed for hearing or proceeding on any Process to which such Summons shall relate, at the Place or Places of Abode of any such Witness or Witnesses.

Service of Summons on Witnesses sufficient if left at Place of Abode in the Forenoon and 8 in the Afternoon, &c.

XXVI. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Divisional Justice or Justices of the Police District of *Dublin* Metropolis, touching any Offence or other Matter or Thing to be determined under the said recited Act of the Forty-eighth Year of His late Majesty's Reign, or this Act, either on the Part of the Prosecutor or of the Person or Persons accused, and shall neglect or refuse to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such Neglect or Refusal, to be allowed of by such Justice or Justices, or appearing shall refuse to be examined on Oath, and to give Evidence before such Justice or Justices before whom the Prosecution or Proceeding shall be depending, every such Person so offending shall, upon due Proof thereof before such Justice or Justices, forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, at the Discretion of such Justice or Justices; the same, in Default of Payment on Demand, to be levied by Distress and Sale of the Goods and Chattels of the Offender, and when levied to be paid over to the Receiver of the Public Offices; and in Default of a sufficient Distress, it shall be lawful for such Justice or Justices to commit the Offender to the House of Correction for any Space of Time not exceeding Fourteen Days, or until such Penalty shall be sooner paid.

Penalty on Witnesses not attending &c. 40*s.*, leviable by Distress, or Imprisonment for 14 Days.

XXVII. And be it further enacted, That at any Time after the passing of this Act it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, for the Time being, to direct any yearly Sum, not exceeding the Sum of Six hundred Pounds, clear of all Taxes and Deductions, to be paid out of the Funds applicable to the Expence of the said Police Establishment, to the Recorder of the City of *Dublin*, from Time to Time, for the Time being, in Augmentation of his Salary, and over and above and in addition to any yearly and other Sum of Money to which

Lord Lieutenant may increase Recorder's Salary out of the Police Establishment, not exceeding 600*l.* a Year.

which such Recorder is or may be entitled under the said recited Act of the Forty-eighth Year of His said late Majesty, or otherwise howsoever: Provided always, that it shall not be lawful for any Person who now holds, or who shall hereafter hold the Office of Recorder of the said City, to act or practise as Counsel in any Criminal or Civil Court within the Police District of the said Metropolis of *Dublin*, at any Time after the Expiration of One Calendar Month next after the passing of this Act.

Recorder not to practise in any Court in the District of the Metropolis.

Application of Penalties.

XXVIII. And be it further enacted, That all Fines, Penalties, and Forfeitures payable under this Act, shall, when the same shall be imposed on the Prosecution of an Informer, be paid, after deducting the necessary Costs of recovering the same, One Moiety to the Receiver of the Public Offices in the said Police District of *Dublin* Metropolis, and the other Moiety to the Informer or Person who shall sue for the same; and that all Fines, Penalties, and Forfeitures payable under this Act, other than such as last before mentioned, shall be paid to the said Receiver; and all Sums so paid to the said Receiver shall go in Aid of the Funds of the Police District of *Dublin* Metropolis.

Informer a competent Witness.

XXIX. And be it further enacted, That in all Cases of Complaints or Informations under this Act, or by virtue thereof, for any Offence for which any Fine or pecuniary Penalty is to be imposed, the Informer or Prosecutor shall be deemed a competent Witness to prove the Offence, and his Testimony, if believed, shall be sufficient for that Purpose, without any other Evidence.

Form of Conviction.

XXX. And be it further enacted, That all Convictions for any Offence or Offences under or by virtue of this Act, may be in the same summary Form as is allowed by the said recited Act of the Forty-eighth Year of His said late Majesty's Reign, for Convictions under that Act, with the like Benefit of Appeal, in all Respects, as under the said recited Act; and no Conviction to be had before any of the said Divisional Justices under or by virtue of this Act, or the said Act passed in the said Forty-eighth Year of the Reign of His said late Majesty, shall be quashed for any Defect of Form, nor shall any Conviction under this Act, or the said recited Act, nor any Affirmation or Reversal thereof under Appeal, be removed, by Certiorari or otherwise, into any of His Majesty's Superior Courts.

No Conviction to be quashed for want of Form.

Reputation that Persons hold Office under this Act sufficient Evidence of Appointment.

XXXI. And be it further enacted, That if it shall become necessary to prove the Power, Office, Authority, or Appointment of any of the Divisional Justices or Constables, or of the Receiver, or of any other Officer or Person appointed or acting under or by virtue of this Act as aforesaid, it shall in all Cases be sufficient, to all Intents and Purposes, to prove that the said Person or Persons, at the Time in question, was or were commonly known or reputed to hold such Office or Situation respectively; and it shall not in any such Case be necessary to produce or prove any Appointment or Qualification whatsoever of such Person or Persons.

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