

ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

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CAP. XXIX.

An Act for improving the Police in the District of *Dublin* Metropolis. [4th *July* 1836.]

WHEREAS it is expedient to substitute a new and more efficient System of Police within the Limits of the District of *Dublin* Metropolis, and to constitute an Office of Police, which, acing under the immediate Authority of the Chief Secretary of the Lord Lieutenant, shall direct and control the whole of such new System of Police within those Limits; 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 it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to cause a new Police Office to be established in the City of *Dublin*, and by Warrant under his Hand and Seal to appoint Two fit Persons as Justices of the Peace for and of the Police District of *Dublin* Metropolis, as the same is constituted and defined in and by 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, and for and of the Counties of* Dublin, Wicklow, Kildare, *and* Meath, *and of all Liberties therein*, to execute the Duties of a Justice of the Peace at the said Office, and in all Parts of those several Counties, and the Liberties therein and of said District, together with such other Duties as shall be herein-after specified, or as shall be from

The Lord Lieutenant may establish a new Police Office, and appoint Two Persons as Justices of Police for the District of Dublin Metropolis and the surrounding District, under the Directions of the Chief or Under Secretary.

from Time to Time directed by the Chief Secretary of the Lord Lieutenant, or in his Absence by the Under Secretary for the Time being, for the more efficient Administration of the Police within the said Limits; and it shall be lawful for the said Lord Lieutenant or other Chief Governor or Governors to remove either of the said Justices, if he or they shall see Occasion so to do, and upon any Vacancy in the said Office by Death, Removal, or otherwise, to appoint another fit Person as a Justice of the Peace of the said District, Counties, and Liberties, to execute the Duties aforesaid, in lieu of the Person making such Vacancy; and it shall be lawful so to appoint any Person to be a Justice of the Peace by virtue of this Act, and for such Person, during the Continuance of his Appointment, to execute the Duties of a Justice of the Peace for the said District and Counties and Liberties, although he may not have any such Qualification by Estate as is required by Law in the Case of any other Person being a Justice of the Peace for any County: Provided always, that no such Person shall act as a Justice of the Peace at any Court of General or Quarter Sessions, nor in any Matter out of Sessions, except for the Preservation of the Peace, the Prevention of Crimes, the Detection and Committal of Offenders, and in carrying into execution the Purposes of this Act.

The Justices need not have any Qualification of Estate.

Proviso.

Oath to be taken by the Justices.

II. And be it enacted, That every Person to be appointed a Justice of the Peace by virtue of this Act shall, before he shall begin to execute the Duties of his Office, take the following Oath before some Justice or Baron of one of His Majesty's Courts of Record at *Dublin*; (that is to say,)

'I *A. B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill and Knowledge, execute all the Powers and Duties of a Justice of the Peace under and by virtue of an Act passed in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis.*'

Salary of the Justices.

III. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct that an annual Salary, not exceeding the Sum of Eight hundred Pounds, shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland* to each of the Justices to be appointed under this Act, and that the same shall be payable quarterly.

A Police Force for the whole District to be appointed.

IV. And be it enacted, That a sufficient Number of fit and able Men shall from Time to Time, by the Directions of the Chief Secretary of the Lord Lieutenant, or in his Absence of the Under Secretary for the Time being, be appointed as a Police Force for the whole of such District, who shall be sworn in by One of the said Justices to act as Constables for preserving the Peace, and preventing Robberies and other Felonies, and apprehending Offenders against the Peace; and the Men so sworn shall, not only within the said District, but also within the Counties of *Dublin*, *Wicklow*, *Kildare*, and *Meath*, and within all Liberties therein, have all such Powers, Authorities, Privileges, and Advantages, and be liable to all such Duties and Responsibilities,

bilities, as any Constable duly appointed now has or hereafter may have within his Constablewick by virtue of the Common Law of this Realm, or of any Statutes made or to be made, and shall obey all such lawful Commands as they may from Time to Time receive from any of the said Justices for conducting themselves in the Execution of their Office.

The Justices may make Regulations for the Management of the Police Force.

V. And be it enacted, That the said Justices may from Time to Time, subject to the Approbation of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, frame such Orders and Regulations as they shall deem expedient, relative to the general Government of the Men to be appointed Members of the Police Force under this Act, the Places of their Residence, the Classification, Rank, and particular Service of the several Members, their Distribution and Inspection, the Description of Arms, Accoutrements, and other Necessaries to be furnished to them, and which of them shall be provided with Horses for the Performance of their Duty, and all such other Orders and Regulations relative to the said Police Force as the said Justices shall from Time to Time deem expedient for preventing Neglect or Abuse, and for rendering such Force efficient in the Discharge of all its Duties; and the said Justices may at any Time suspend or dismiss from his Employment any Man belonging to the said Police Force whom they shall think remiss or negligent in the Discharge of his Duty, or otherwise unfit for the same; and when any Man shall be so dismissed or cease to belong to the said Police Force all Powers vested in him as a Constable by virtue of this Act shall immediately cease and determine.

Policemen may be suspended or dismissed by the Justices.

Penalty on Publicans harbourin Policemen during the Hours of Duty.

VI. And be it enacted, That if any Victualler or Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any Man belonging to the said Police Force, or permit such Man to abide or remain in his House, Shop, Room, or other Place during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper as aforesaid, being convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay such Sum not exceeding Five Pounds as they shall think meet.

Powers of Policemen.

VII. And be it enacted, That it shall be lawful for any Man belonging to the said Police Force, during the Time of his being on Duty, to apprehend all loose, idle, and disorderly Persons whom he shall find disturbing the public Peace, or whom he shall have just Cause to suspect of any evil Designs, and all Persons whom he shall find between Sunset and the Hour of Eight in the Forenoon lying in any Highway, Yard, or other Place, or loitering therein, and not giving a satisfactory Account of themselves, and to deliver any Person so apprehended into the Custody of the Constable appointed under this Act, who shall be in attendance at the nearest Watch-house, in order that such Person may be secured until he can be brought before a Justice of the Peace, to be dealt with according to Law, or may give Bail for his Appearance before a Justice of the Peace, if the Constable

Constable shall deem it prudent to take Bail, in the Manner hereinafter mentioned.

Night Constables may take Bail for Appearance of Parties before a Justice, &c.

VIII. And be it enacted, That where any Person charged with any petty Misdemeanor shall be brought, without the Warrant of a Justice of the Peace, into the Custody of any Constable appointed under this Act, during his Attendance in the Night-time at any Watch-house within the said Police District of *Dublin* Metropolis, it shall be lawful for such Constable, if he shall deem it prudent, to take Bail by Recognizance, without any Fee or Reward, from such Person, conditioned that such Person shall appear for Examination before a Justice of the Peace at some Place to be specified in the Recognizance, at the Hour of Ten in the Forenoon next after such Recognizance shall be taken, unless that Hour shall fall on a *Sunday*, or on *Christmas Day* or *Good Friday*, and in that Case at the like Hour on the succeeding Day; and every Recognizance so 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 a Justice of the Peace; and the Constable shall enter in a Book to be kept for that Purpose in every Watch-house the Names, Residence, and Occupation of the Party, and his Surety or Sureties, if any, entering into such Recognizance, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such 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 Justice shall cause a Record of the Recognizance to be drawn up, to be signed by the Constable, 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 Justice, 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 him, and the Justice shall think fit to consent thereto, the Justice shall be at liberty to enlarge the Recognizance to such further Time as 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 otherwise, the Recognizance for the Appearance of the Party before a Justice shall be discharged without Fee or Reward.

Punishing Assaults on Policemen.

IX. And be it enacted, That if any Person shall assault or resist any Person belonging to the said Police Force in the Execution of his Duty, or shall aid or incite any Person so to assault or resist, every such Offender, being convicted thereof before Two Justices of the Peace, shall for every such Offence forfeit and pay such Sum not exceeding Five Pounds as the said Justices shall think meet.

X. And

The Treasury may appoint a Person to be the Receiver of all Monies applicable to the Purposes of this Act, who shall give Security.

X. And be it enacted, That it shall be lawful for the Lord High Treasurer, or Commissioners of the Treasury, or any Three or more of them, either to order and direct the Receiver to be appointed under an Act passed or to be passed in this present Parliament to consolidate and amend the Laws relating to the Constabulary Force in *Ireland*, or to appoint such other Person as they may think proper, to receive all Sums of Money applicable to the Purposes of this Act, and to revoke such Order and Direction, or remove any such Receiver, if he or they shall see Occasion so to do, and upon any Vacancy in that Office by Death, Removal, or otherwise to appoint another Person to be such Receiver; and it shall be lawful for the said Lord High Treasurer, or Commissioners of the Treasury, or any Three or more of them, to allow to the Person who shall be appointed to receive such Monies such yearly Salary out of the same, payable quarterly, as they may think proper, not exceeding Four hundred and fifty Pounds, or if the Receiver to be appointed under the said Act shall be appointed also to receive the said Monies under this Act, then and in such Case to allow to such Receiver such further yearly Salary, payable quarterly out of the said Monies, in addition to the Salary payable to him under the said Act, as they may think proper, not exceeding One hundred Pounds; and the Receiver for the Time being shall give Security to His Majesty, in a Bond with Two Sureties, in such Sum as the said Lord High Treasurer, or the Commissioners of the Treasury, or any Three or more of them, shall direct, such Bond to be conditioned for the faithful Performance of his Duty by such Receiver, and for the due Application of all Monies paid to him under this Act; and the Receiver for the Time being shall receive all Sums of Money applicable to the Purposes of this Act, and shall keep an exact and particular Account thereof, and shall immediately pay all Monies, Bills, and Notes by him received under this Act into the Hands of the Governor and Company of the Bank of *Ireland*; and the same shall be placed to an Account in the Books of the said Governor and Company, which shall be intituled "The Account of the Public Monies of the Receiver for the Metropolitan Police District," inserting the Name of the Receiver for the Time being; and the said Receiver shall draw out of the Bank from Time to Time such Sums of Money as may be necessary for the Payment of the Salaries, Wages, and Allowances to be paid as herein-after mentioned, to the Persons belonging to the Police Force appointed under this Act, and also for the Payment of all other Charges and Expences in carrying this Act into execution; and the said Receiver shall be governed, in respect of his pecuniary Transactions, whether of Receipt or Payment, and in respect of the Periods in and for which he shall deliver his Accounts, accompanied by the proper Vouchers, and as to the Manner in which such Accounts shall be kept, and prepared and exhibited for Audit, by such Rules and Regulations as shall be issued in that respect from Time to Time by the said Lord High Treasurer, or the Commissioners of the Treasury, or any Three or more of them; and every Draft or Order for Money on the Bank of *Ireland*, drawn by the Receiver, shall be countersigned by One of the Justices appointed under this Act; and all Drafts and Orders so drawn and countersigned, but not otherwise, shall be a sufficient Authority to the Bank to pay the Amount thereof to the Persons named in them, or to the Bearers of them.

Salary.

The Money to be placed in the Bank of Ireland, and drawn out by the Receiver.

Receiver's Drafts to be countersigned.

Receiver's Accounts to be audited.

XI. And be it enacted, That the Receiver shall account for the due Application of all Monies so to be drawn by him out of the Bank of *Ireland*, and shall once in every Six Months, and oftener if required by the said Lord High Treasurer or Commissioners of the Treasury, or by the Chief Secretary of the Lord Lieutenant, or in his Absence by the Under Secretary, make out and sign a full and particular Account of all Monies which shall have been received by him under this Act, and how much thereof hath been paid by him, and for what Purposes, together with proper Vouchers for the Receipts and Payments; and such Account shall be delivered for the Purpose of being examined and audited, either to the Commissioners for auditing the Public Accounts of this Kingdom, or to such other Person or Persons as the said Lord High Treasurer or Commissioners of the Treasury shall from Time to Time direct; and the said Receiver shall be subject to the same Regulations and Penalties in that respect as any Public Accountant.

Receiver to pay the Salaries and Wages of the Police under the Directions of the Chief or Under Secretary;

as also Rewards for Activity, and Superannuation Allowances.

XII. And be it enacted, That the Receiver, out of the Monies so received by him, shall from Time to Time pay to the Persons belonging to the Police Force appointed under this Act such Salaries, Wages, and Allowances, and at such Periods, as the Chief Secretary of the Lord Lieutenant, or in his Absence, the Under Secretary, shall direct, and also any extraordinary Expences which they shall appear to have necessarily incurred in apprehending Offenders and executing the Orders of either of the Justices appointed under this Act, such Expences being first examined and approved of by One of the said Justices; and the Receiver shall likewise pay any further Sums which such Chief or Under Secretary shall direct to be paid to any of the Persons belonging to the said Police Force, as a Reward for extraordinary Diligence or Exertion, or as a Compensation for Wounds or severe Injuries received in the Performance of their Duty, or as an Allowance to such of them as shall be disabled by bodily Injury received, or shall be worn out by Length of Service, and he shall also pay all other Salaries, Charges, and Expences which such Chief or Under Secretary shall direct to be paid for carrying this Act into execution, and all Salaries and Allowances payable to the Divisional Justices and other Persons under the said recited Act of the Forty-eighth Year of the Reign of His late Majesty, or any Act passed for the Amendment thereof, which shall not cease or determine pursuant to the Provisions or by the Operation of this Act.

Upon the Death or Removal of a Receiver the Balance of Cash at the Bank shall be transferred to his Successor.

XIII. And be it enacted, That upon the Death, Resignation, or Removal of any Receiver appointed under this Act the Balance of Cash for which he shall at that Time have Credit on his Account as Receiver with the Governor and Company of the Bank of *Ireland* shall, as soon as a Successor shall be appointed to the Office of Receiver, actually vest in such Successor, and shall be immediately transferred to the Account of such Successor, to be applied for the Purposes of this Act; and the Receiver for the Time being is hereby required to issue his Drafts or Orders, countersigned as aforesaid, for all unsatisfied Charges and Demands payable out of the Monies in the Bank, although the same shall have accrued in the Time of any former Receiver.

XIV. And

Upon the Removal of the Receiver his Successor may sue for any Balance remaining in his Hands.

XIV. And be it enacted, That if any Person, having resigned or having been removed from the Office of Receiver, shall neglect, within Twenty-one Days after Notice for such Purpose, to account for and pay to any succeeding Receiver all such Sums of Money as shall remain in his Hands applicable to the Purposes of this Act, it shall be lawful for the Receiver for the Time being, in his own proper Name only, or by his Name and Description of Office, to sue for and recover the same from such Person, with Double Costs of Suit, in any of His Majesty's Courts of Record at *Dublin*, by Action of Debt, in which Action it shall be sufficient for such Receiver to declare as for Money had and received to the Use of such Receiver for the Purposes of this Act; and the Defendant in the Action may, at the Discretion of any Judge of such Court, be held to Special Bail in such competent Sum as the Judge shall order; and the Court in which the Action shall be brought may, at the Instance of either of the Parties, refer the Account in dispute in a summary Manner to be audited by any Officer of the Court or other fit Person, who may examine both Plaintiff and Defendant upon Oath (which Oath the said Referee shall have Power to administer); and upon the Report of such Referee, unless either of the Parties shall show good Cause to the contrary, the Court may make a Rule, either for the Payment of such Sum as upon the Report shall appear to be due, or for staying the Proceedings in the Action, and upon such Terms and Conditions as to the Court shall appear reasonable; or the Court may order Judgment to be entered up by Confession for such Sum as upon the Report shall appear to be due.

Mode of proceeding.

Special Bail.

Court may refer the Accounts to an Officer or Arbitrator.

Mode of proceeding against the Representatives of a deceased Receiver.

XV. And be it enacted, That in case of the Death of any Person during the Time that he shall be holding the Office of Receiver, or after he shall have resigned or been removed from such Office, the Receiver for the Time being may, in his own proper Name only, or by his Name and Description of Office, sue for and recover from the Executors or Administrators of such Person deceased all such Sums of Money as shall have been remaining in his Hands applicable to the Purposes of this Act, by an Action of Debt in any of His Majesty's Courts of Record at *Dublin*; in which Action it shall be sufficient for the Plaintiff to declare that the Deceased was indebted to the Plaintiff for Money had and received to his Use for the Purposes of this Act, or that the Deceased died possessed of Money had and received for the Purposes of this Act, whereby an Action hath accrued to the Plaintiff to demand and have the same from such Executors or Administrators; and the like Action may be brought against any Executors or Administrators of Executors or Administrators; and in all such Actions the Defendant or Defendants may plead in like Manner, and avail themselves of the like Matters in Defence, as in any Action founded upon simple Contracts of the original Testator or Intestate; and the Court may refer the Account in dispute to be audited by any Officer or Person, and may proceed upon the Report of such Referee in like Manner as is herein-before mentioned; and in all Actions to be brought, as well as in all Proceedings whatsoever to be instituted or carried on by any Receiver by virtue of this Act, Proof of his acting in the Execution of the Office of Receiver shall be sufficient Evidence of his holding such Office, unless the contrary shall

Proof of the Receiver's official Character.

shall be shown in Evidence by the Defendants in such Actions, or the Parties against whom such Proceedings shall be instituted or carried on.

The Receiver shall contract for any Land or Buildings that may be required.

XVI. And be it enacted, That the Receiver for the Time being shall make all such Contracts and Disbursements as shall be necessary for purchasing or renting any Land or Buildings, or for erecting, fitting up, furnishing, or repairing any Buildings for the Purposes of this Act, in such Manner as the Chief Secretary of the Lord Lieutenant, or, in his Absence, the Under Secretary, shall direct, subject nevertheless to such Regulations as the said Lord High Treasurer, or Commissioners of the Treasury, or any Three or more of them, shall from Time to Time think fit to establish in respect of all such Contracts and Disbursements; and of all Lands and Buildings so to be purchased or rented, and of the Fixtures and Furniture thereof, and of all Goods and Chattels whatsoever to be from Time to Time held or purchased for the Purposes of this Act, the Property acquired therein shall be vested in the Receiver for the Time being, in whom also shall be vested the Property of all Watch-houses, Watch-boxes, Arms, Accoutrements, and other Necessaries to be given up as hereinafter mentioned; and the Receiver for the Time being may, by the Directions of such Chief or Under Secretary, sell, assign, or dispose of the Whole or any Part of any such Property as aforesaid, and shall execute all such lawful Matters for carrying this Act into execution as such Chief or Under Secretary shall from Time to Time direct.

The Property to be vested in him.

Corporations and others empowered to sell Land to the Receiver.

XVII. And be it enacted, That it shall be lawful for all Bodies Corporate, and also for all Commissioners or Trustees for public Purposes, and for Tenants for Life or in Tail, and for the Husbands, Guardians, Trustees, Committees, or Attornies of such of the Proprietors or Persons interested in any Lands or Buildings required for the Purposes of this Act as shall by reason of any legal Disability or of Absence beyond the Seas be incapable of acting for themselves, to contract and agree with the Receiver for the Time being, either for the absolute Sale of such Lands or Buildings, or for a Lease thereof for such Period as the Receiver shall require, and to convey, demise, or grant the same to the Receiver in Trust for the Purposes of this Act; and all such Contracts, Sales, Conveyances, Leases, and Grants shall be valid and effectual in Law to all Intents and Purposes; and in case any Body Corporate, Commissioners, Trustees, or other Persons hereby authorized to contract on behalf of themselves or others as aforesaid, shall neglect or refuse to agree with, or by reason of Disability or Absence shall be prevented from agreeing with, the Receiver for the Sale or Lease of any Land or Buildings required by him, or in case the Proprietors or Persons interested therein cannot be found or known, or shall not produce and evince a clear Title to the Land or Buildings so to be purchased or rented, or to the Interest they shall claim therein, to the Satisfaction of the Receiver, in every such Case all the Powers now by Law vested in the Commissioners for making wide and convenient Streets and Passages in the City of *Dublin*, and all Provisions made by any Act or Acts relating to such Commissioners, and now in force with regard to the Valuation of

In case of Disagreement, &c. Value shall be assessed by a Jury.

of Estates and Interest by a Jury, the conclusive Effect of the Verdict of the Jury, and all Matters preparatory to, concomitant with, and consequent or contingent upon the Valuation by a Jury, shall, so far as the same are or can be applicable, be applied and extended to the Valuation of any Land or Buildings required for the Purposes of this Act, in as full and ample a Manner, to all Intents and Purposes, as if those Provisions had been repeated and expressly re-enacted in this Act; and all such Matters as by those Provisions are authorized or required to be done by such Commissioners, or any Number of them, shall under this Act be done by the Receiver for the Time being.

Upon the Appointment of a Receiver the Balance of Cash at the Bank to the Credit of the Receiver of the Public Offices shall be transferred to him.

XVIII. And be it further enacted, That upon the Appointment of a Receiver under this Act, the Office and Duties of the Receiver of the Public Offices appointed under the said recited Act of the Forty-eighth Year of His late Majesty King *George* the Third shall cease and determine, and the Balance of Cash for which such Receiver of the Public Offices shall at that Time have Credit on his Account as Receiver with the Governor and Company of the Bank of *Ireland*, and all Cash and Monies in the Hands of such Receiver as such, shall actually vest in the Receiver appointed under this Act, and shall be immediately transferred to the Account of and paid to such Receiver appointed under this Act, to be applied for the Purposes of this Act; and the said last-mentioned Receiver for the Time being is hereby required to issue his Drafts or Orders, countersigned as aforesaid, for all unsatisfied Charges and Demands payable out of the Monies in the Bank, although the same shall have accrued in the Time of said Receiver of the Public Offices.

No Justice, &c. under this Act to sit in Parliament.

No Justice, Receiver, Policeman, &c. appointed under this Act to vote at certain Elections.

Penalty 100*l.*

XIX. And be it enacted, That no Justice of the Peace or Receiver appointed by virtue of this Act shall, during the Continuance of such Appointment, be capable of being elected or of sitting as a Member of the House of Commons; and no Justice, Receiver, or Person belonging to the Police Force appointed by virtue of this Act shall, during the Time that he shall continue in any such Office, or within Six Calendar Months after he shall have quitted the same, be capable of giving his Vote for the Election of a Member to serve in Parliament for the Counties of *Dublin*, *Wicklow*, *Kildare*, or *Meath*, or for the County of the City of *Dublin*, or for any City or Borough within the said Police District, nor shall by Word, Message, Writing, or in any other Manner endeavour to persuade any Elector to give, or dissuade any Elector from giving, his Vote for the Choice of any Person to be a Member to serve in Parliament for any such County, City, or Borough; and if any such Justice, Receiver, or Person belonging to the Police Force shall offend therein, he shall forfeit the Sum of One hundred Pounds, to be recovered by any Person who will sue for the same, by Action of Debt, to be commenced within Six Calendar Months after the Commission of the Offence; and one Moiety of the Sum so recovered shall be paid to the Informer, and the other Moiety thereof to the Receiver appointed under this Act, to be by him added to and applied as Part of the Funds for the Purposes of the Police under this Act: Provided always,

Proviso. always, that nothing in this Enactment contained shall subject any such Justice, Receiver, or Person belonging to the Police Force, to any Penalty for any Act done by him at or concerning any of the said Elections in the Discharge of his official Duty.

The present Police, &c. in the Metropolitan District shall continue until it shall be notified that the new Police is appointed, and then all Watchboxes, Arms, &c. shall be given up to the new Police.

XX. And whereas some Time must elapse before a new Police Force can be appointed throughout the whole of the Metropolitan Police District; be it therefore enacted, That the Constables, Patroling Constables, Watchmen, and others of the Police and Watch already appointed within the Limits of the said District, may, notwithstanding the passing of this Act, continue to act in their respective Appointments, and shall be subject to the same Authorities as heretofore, until it shall be notified by the Justices appointed under this Act that a new Police will be ready to undertake the Charge of the said District, on some Day to be specified in the Notice of the said Justices; which Notice shall be published on Two successive Days in the *Dublin Gazette*, and in Two public Newspapers published in the City of *Dublin*, and shall be delivered to the Divisional Justices at the Head Office, previous to the Day named for the same to take effect; and upon the Day so named the Chief Constables, Constables, Patroling Constables, Night Watch, and other Police appointed within the said District previously to or independently of this Act, shall be discontinued; and all Watch-houses and Watch-boxes in the said District, and all Arms, Accoutrements, and other Necessaries provided at the public Expence for the Watch and Police therein shall be given up to such Persons as shall be named by the said Justices for the Use and Accommodation of the Police to be appointed under this Act;

Penalty for not giving up the Watch-boxes, &c.

and in case any Person having the Charge, Control, or Possession of any Watch-house, Watch-box, Arms, Accoutrements, or Necessaries as aforesaid shall neglect or refuse to give up the same as herein-before required, every such Offender, being convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay, over and above the Value of the Property not given up, such Sum, not exceeding Five Pounds, as the said Justices shall think meet; and where there shall be any Building in any such Parish or Place as aforesaid, a Part only of which Building shall have been heretofore used as a Watch-house, such Part shall be given up every Day from the Hour of Four in the Afternoon until the Hour of Nine in the Forenoon, for the Use and Accommodation of the Police Force to be appointed under this Act; and if any Person having the Charge, Control, or Possession of any such Building shall neglect or refuse to give up such Part thereof for the Purposes aforesaid, or to permit free Access thereto or Egress therefrom, during any Portion of the Time above prescribed, every such Offender, being convicted thereof before any Two Justices of the Peace, shall for every such Offence forfeit and pay such Sum not exceeding Five Pounds, as the said Justices shall think meet.

Power to set up Watch-boxes.

XXI. And be it enacted, That the Justices appointed under this Act, subject to the Approbation of the Chief Secretary of the Lord Lieutenant, or his Under Secretary for the Time being, may order such a Number of Watchboxes as they shall from Time to Time think fit

fit to be placed or fixed in such Parts of the Highways, in any of the Parishes and Places within the Metropolitan Police District, as the said Justices shall deem most convenient.

No Constable to be a menial Servant, &c.

XXII. And be it further enacted, That no Person so appointed a Constable shall be or act as a domestic or menial Servant to any Person whatsoever; and that any of the said Justices, Receiver, or any other Officer or Clerk who shall retain or employ any Constable as a domestic or menial Servant, shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to be recovered by Civil Bill in the Court of the Recorder of the City of *Dublin*.

No Brewer &c. to hold any Police Office.

XXIII. And be it further enacted, That no Person using or exercising the Trade or Business of a Brewer or Distiller, or Dealer in Wine by Retail to licensed Public Houses, or being a Partner of such; no Person who shall have a License or Licenses to sell Malt Liquors or Spirituous Liquors, or who shall in any Manner be engaged as a Seller thereof; no Victualler nor Person keeping a Public House shall be capable of holding any Office or Situation whatsoever under this Act.

Justices to raise the like Taxes as present Divisional Justices;

XXIV. And be it further enacted, That until some further Provision shall be made by Authority of Parliament for the Support and Maintenance of the said Constables and Watchmen, and for providing Watch-houses, Arms, Accoutrements, Watch-coats, Lanterns, Fire and Candle-light, and other Necessaries for the Purposes of this Act, the said Justices to be appointed under this Act shall be and they are hereby authorized from Time to Time to raise and levy the like Rates and Assessments on all Houses and Tenements within the said Police District of *Dublin* Metropolis, which under or by virtue of any Act in force immediately before the passing of this Act are or shall be liable to be rated and assessed to any such Rate or Assessment as the Divisional Justices appointed under the said Act of the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, and by the therein recited Acts, or any of them, were authorized and empowered to collect, raise, assess, and levy.

and to appoint Collectors of said Taxes.

XXV. And be it enacted, That it shall and may be lawful to and for said Justices to be appointed under this Act to appoint such Number of fit and proper Persons as they shall think proper to collect and receive all Rates, Taxes, and Assessments which shall at any Time or Times hereafter be assessed or become payable from or out or in respect of any Houses or House, Tenements or Tenement, for the Support of the said Watch Establishment as aforesaid, and the several Persons so appointed shall be called "Collectors of the Watch Tax"; and the Names of the Persons so appointed shall be entered in a Book to be kept for that Purpose at the Office to be appointed under this Act; and every Collector so appointed shall from Time to Time, as and for his Payment for the Execution of his said Office, deduct and retain to his own Use, out of all and every Sum and Sums of Money received by him, such Part or Proportion thereof, not exceeding One Shilling in the Pound, as shall be directed by the said Justices.

XXVI. And

Collector to give Security for faithful Discharge of his Duty, and to account on Oath.

XXVI. And be it enacted, That every Person who shall be so appointed a Collector of the said Rates and Assessments shall give sufficient Security, to the Satisfaction of the said Justices appointed under this Act, by Bond payable to His Majesty, His Heirs and Successors, which Bond said Justices are hereby empowered and required to take, conditioned for the due and faithful Execution and Discharge of his said Office and Duty; and every such Collector shall under his Hand, at such Time and Times as the said Justices shall direct, deliver to them or either of them, or to such Person as they shall appoint, true and perfect Accounts in Writing of all Monies which shall have been received by him by virtue and for the Purposes of this Act, and of all Monies paid by him to the said Receiver, together with the proper Vouchers for such Payments; and all the said Persons so accounting as aforesaid shall verify their Accounts upon Oath (which Oath the said Justices, or any One of them, is and are hereby empowered and required to administer); and if any such Person shall refuse or neglect to make or render, or shall neglect or refuse to verify upon Oath, any such Account, or to produce or deliver the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Justices, or to One of them, or to such other Person as they shall appoint, within Ten Days after being thereunto required, all the Books, Papers, and Writings in his Custody or Power relating to the Trust reposed in him, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in his Hands to the said Receiver, every such Person shall for every such Neglect respectively forfeit the Sum of Fifty Pounds, to be recovered by the said Justices by Civil Bill in the Court of proper Jurisdiction.

Collectors to furnish their Accounts of Receipts weekly;

XXVII. And be it further enacted, That each and every of the said several Collectors shall, on the *Saturday* in each Week, furnish a just and true Account of all Monies received by him in the course of that Week, in such Manner as shall be directed, to the said Justices; and in case any such Collector shall refuse or neglect so to do, such Collector shall for such Default be subject and liable to such Fine as the said Justices shall think proper, not exceeding Five Pounds for each and every such Offence, to be levied by Warrant under their Hands and Seals out of the Goods and Chattels of such Offender.

and pay their Balances to the Receiver weekly.

XXVIII. And be it further enacted, That every Collector of the said Rates and Assessments shall, on the *Saturday* in every Week, pay to the Receiver to be appointed under this Act all Monies received by him, and then in his Hands, by virtue of this Act.

Justices may order any Collector to attend, and fine him for Offences.

XXIX. And be it further enacted, That the said Justices to be appointed under this Act, or either of them, as often as it shall appear to them or him that the said several Collectors, or any of them, have not done their Duty, shall give Orders for the Attendance of such Collector or Collectors at the said Office to be appointed under this Act, to answer touching such Matter, and shall for the First Offence fine the Collector or Collectors in any Sum not exceeding Twenty Shillings, and for every succeeding Offence impose a Fine not exceeding Three Pounds nor less than Twenty Shillings; the said Fines to

be levied by Warrant under their Hands and Seals out of the Goods and Chattels of such Offender.

Justices to raise and levy all Taxes and Arrears.

XXX. And be it further enacted, That it shall and may be lawful for the said Justices, at any Time after the Day specified in the said Notice for the new Police taking Charge of the said District, to levy or cause to be levied and raised in their own Names all Duties, Taxes, Assessments, and Fines now payable, or which, if this Act had not passed, would hereafter become payable to the said Divisional Justices, or any of them, and also all Arrears thereof respectively that shall be due and owing on the said Day, or which by Law the said Divisional Justices, or any of them, might or ought to have levied and raised, by such Ways and Means as they would have been enabled to raise and levy the same respectively if this Act had not been passed; and that all Carriage Rates, Carriage Duties, Carriage Rents, License Duties, Fines, Fees, and all other Monies whatsoever, payable to or receivable by the Receiver appointed under the said recited Act of the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, shall, from and after the Appointment of a Receiver under this Act, be paid to and received by such Receiver appointed under this Act, to be by him applied to and for the Purposes of this Act.

Divisional Justices to deliver up to Justices appointed by this Act all Books of Accounts, Receipts, Taxes, &c. within Ten Days after being required so to do.

XXXI. And be it further enacted, That the said Divisional Justices shall, within Ten Days after being thereto required in Writing by the Justices to be appointed under this Act, deliver up or cause to be delivered up to the said last-mentioned Justices all Books of Account, Books of Receipts and Payments of all Monies, Books of Taxes, Collectors Books, Books of House Tax, Hackney Coach Tax, and all others of every Nature, Kind, and Description whatsoever, in anywise belonging to or connected with the Collection, Assessment, and levying of all and every the Taxes, Rates, Duties, and other Monies hereby made payable to the Receiver to be appointed under this Act; and shall also deliver or cause to be delivered to the said Receiver to be appointed under this Act a just and true Account of all Arrears of Taxes, and all Balances of Taxes, Duties, Rents, and other Monies of what Nature and Kind soever, due to the said Divisional Justices or to the said former Receiver; and that the said Divisional Justice or Justices, and such of their Clerks respectively as were in anywise concerned in keeping such Books and making such Entries of Receipts and Payments and Proceedings, shall respectively make Oath of the Truth of the said Books and Accounts, and of the Entries therein respectively; and also that no Book, Account, or Entry of any of the said Matters has been suppressed or withheld from the said Justices, to the Knowledge or Belief of the Person so making every such Affidavit, such Oath to be made before the Lord Mayor of the City of *Dublin*, who is hereby authorized and required to administer such Oath; and in case the said Divisional Justices, Clerk or Clerks, shall refuse or neglect to deliver such Book or Books, or other Papers, or to make such Affidavit as above directed, or shall detain any such Book or Books or Papers, such Person who shall so refuse, neglect, or detain, being thereof duly convicted before the Justices appointed under this Act, shall forfeit and pay the Sum of

One hundred Pounds, to be levied by Distress and Sale of the Offender's Goods by Warrant under the Hands and Seals of the said last-mentioned Justices.

Divisional Justices to be hereafter appointed by Lord Lieutenant. 5 G. 4. c. 102.

XXXII. And be it enacted, That all the Divisional Justices within the Police District of *Dublin* Metropolis who may now be appointed by the Assembly of the Corporation of the said City, pursuant to the Provisions of an Act made in the Fifth Year of the Reign of His late Majesty King *George* the Fourth, intituled *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 more effectual Prevention of Felonies within the District of* Dublin *Metropolis*, shall hereafter be appointed by the Lord Lieutenant; and it shall not any longer be requisite that any of the said Divisional Justices shall be an Alderman of the City of *Dublin* or Sheriff's Peer, or Member of the Common Council of the said City.

Accounts to be laid before Parliament annually.

XXXIII. And be it enacted, That an Account of all Monies received and expended for the Purposes of this Act, made up to the Thirty-first Day of *December* in each Year, shall annually be laid before both Houses of Parliament within Thirty Days thereafter, if Parliament be then sitting, or within Thirty Days after the First Meeting of Parliament subsequent to the Thirty-first of *December*; and such Accounts shall specify the total Sum received for every Tax, Rate, Rent, Duty, or other Charge for the Purposes of this Act; and such Account shall also specify the different Heads of Expenditure for the Purposes of the Police, and the Amount actually expended under each.

Allowances to disabled Persons acting under this Act.

XXXIV. And be it further enacted, That if any of the said Justices, Receiver, Constables, or other Persons holding any Office whatsoever under or by virtue of this Act shall by Age, Sickness, or Accident become unable to perform the Duties of such Office, and shall therefore resign or be removed from the same, 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 proper so to do, to direct that a Pension charged on the Funds applicable to the Support of the said Police Establishment, clear of all Taxes and Deductions, shall be paid to every such Person, not exceeding Two Thirds of the Salary payable to such Person by virtue of this Act immediately previous to his so resigning or being removed; provided that no Person shall be entitled to receive any such Pension or Allowance, unless he shall be above the Age of Sixty Years, or shall have served Twenty-five Years, or shall have been disabled by any unavoidable Accident or permanent Disease acquired in the Performance of his Duty under this Act.

Rights, Powers, &c. of Divisional Justices to continue when not altered by this Act.

XXXV. And be it further enacted, That in all Cases not altered or otherwise ordained or directed by this Act, all and every the Rights, Powers, Privileges, Jurisdictions, and Authorities whatsoever, now vested in the said Divisional Justices under any Act or Acts of Parliament not hereby repealed, and all and every other Matter or Thing whatsoever which the said Divisional Justices are by any Law now in force required, directed, or empowered to do or execute, save and except

except in the Cases aforesaid, shall and may from and after the passing of this Act be respectively vested in and exercised, done and executed by the said Divisional Justices; and all and every Act, Matter, or Thing so done or executed shall thereupon be of the same Force, Validity, and Effect, to all Intents and Purposes whatsoever, as if this Act had not been passed.

Constables, &c. under this Act invested with same Powers as similar Officers under the Act 48 G. 3. c. 140.

XXXVI. And be it further enacted, That all Chief Constables, Constables, Patroles, Watchmen, and Collectors appointed under this Act shall, to all Intents and Purposes, have and exercise the several Powers, Authorities, and Privileges respectively given to or vested in the Chief Constables, Constables, Patroles, Watchmen, and Collectors appointed under the said Act of the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, by the said Act, or by any other Statute or Law now in force, except where the contrary is directed by this Act, or where the same would be repugnant to or inconsistent with any Provision herein contained.

Justices may summon Persons charged with Offences punishable on summary Conviction under this Act.

XXXVII. And for the more effectual Prosecution of Offences punishable upon summary Conviction by virtue of this Act, be it enacted, That where any Person shall be charged, on the Oath of a credible Witness, with any such Offence before any Justice of the Peace, the Justice may summon the Person charged to appear before any Two Justices of the Peace, at a Time and Place to be named in such Summons; and if the Person charged shall not appear accordingly, then (upon Proof of the due Service of the Summons, by delivering a Copy thereof to such Person, or by delivering a Copy to the Wife or Servant or some Inmate of the Family of such Person, at his usual Place of Abode,) the Justices before whom he ought to have appeared may either proceed to hear and determine the Case *ex parte*, or may issue their Warrant for apprehending such Person and bringing him before them: Provided always, that the Prosecution for any Offence punishable upon summary Conviction by virtue of this Act shall be commenced within Three Calendar Months after the Commission of the Offence, and not otherwise.

Limitation of Time for such Proceedings.

Application of Penalties.

XXXVIII. And be it enacted, That every Sum which by any Justices of the Peace shall be adjudged to be paid for any Offence against this Act shall be paid to the Receiver appointed under this Act, to be by him added to and applied as Part of the Funds for the Purposes of the Police under this Act; and no Person, although liable to the Payment of Money for the Maintenance of the Police under this Act, shall by reason thereof, or by reason of the Application of any Penalty to the Use of the Police Funds, be deemed to be an incompetent Witness before any Court or Justice or Justices of the Peace in any Proceeding whatever for any Offence against this Act, or in any Matter relating to the Money to be raised for the Maintenance of the Police, or in any other Matter mentioned in this Act; and no Justice of the Peace shall be disabled from acting in the Execution of this Act by reason of his being liable to the Payment of any Money for the Maintenance of the Police under this Act.

Persons paying Police Rate may give Evidence or act as Justices.

XXXIX. And

Scale of Imprisonment for Non-payment of Penalties.

XXXIX. And be it enacted, That the Justices of the Peace by whom any Person shall be convicted and adjudged to pay any Sum of Money for any Offence against this Act, may adjudge that such Person shall pay the same either immediately or within such Period as they shall think fit; and that in default of Payment at the Time appointed he shall be imprisoned in the Common Gaol or House of Correction and be kept to hard Labour for any Term not exceeding Two Calendar Months, where the Sum to be paid shall not exceed Five Pounds, and for any Term not exceeding Four Calendar Months where the Sum shall not exceed Ten Pounds, and for any Term not exceeding Six Calendar Months in any other Case; the Imprisonment to cease in each of the Cases aforesaid upon Payment of the Sum due.

Form of Conviction.

XL. And be it enacted, That the Justices before whom any Person shall be summarily convicted of any Offence against this Act may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case may require; (that is to say,)

'} BE it remembered, That on the Day of
'to wit. } in the Year of our Lord at
'in the County of *A.B.* is convicted before us [*naming*
'*the Justices*], Two of His Majesty's Justices of the Peace for the
'said County, for that he the said *A.B.* did [*specify the Offence, and*
'*the Time and Place when and where the same was committed, as*
'*the Case may be*]; and we the said Justices adjudge the said *A.B.*
'for his said Offence to forfeit and pay the Sum of
'[*here state the Amount of the Sum to be paid*]; and in default of
'immediate Payment of the said Sum to be imprisoned in the
' for the Space of unless the said Sum
'shall be sooner paid, [*or* and we order that the said Sum shall be
'paid by the said *A.B.* on or before the Day of
'and in default of Payment on or before that Day, we adjudge the
'said *A.B.* to be imprisoned in the for the Space
'of unless the said Sum shall be sooner paid];
'and we direct that the said Sum shall be paid to
'the Receiver for the Metropolitan Police District, to be by him
'applied according to the Act passed in the Sixth Year of the Reign
'of His Majesty King *William* the Fourth, intituled *An Act for*
'*improving the Police in the District of* Dublin *Metropolis*. Given
'under our Hands the Day and Year first above mentioned.'

No Certiorari, &c.

XLI. And be it enacted, That no Conviction, Order, Warrant, or other Matter, made or purporting to be made by virtue of this Act, shall be quashed for want of Form, or be removed by Certiorari or otherwise into any of His Majesty's Courts of Record at *Dublin*; and no Warrant of Commitment shall be held void by reason of any Defect therein, provided that it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same; and where any Distress shall be made for levying any Money by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Sum-

As to Informality in Warrants, &c.

mons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity afterwards committed by him, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage, if any, in an Action upon the Case.

Venue in Proceedings against Persons acting under this Act.

XLII. And, for the Protection of Persons acting in the Execution of this Act, be it enacted, That all Actions and Prosecutions to be commenced against any Person for any thing done in pursuance of this Act shall be laid and tried in the County where the Fact was committed, and shall be commenced within Six Calendar Months after the Fact committed, and not otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and in any such Action the Defendant may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon; and no Plaintiff shall recover in any such Action if Tender of sufficient Amends shall have been made before such Action brought, or if a sufficient Sum of Money shall have been paid into Court after such Action brought, by or on behalf of the Defendant; and if a Verdict shall pass for the Defendant, or the Plaintiff shall become Nonsuit, or discontinue any such Action after Issue joined, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs as between Attorney and Client, and have the like Remedy for the same as any Defendant hath by Law in other Cases; and though a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be shall certify his Approbation of the Action, and of the Verdict obtained thereupon.

Notice of Action.

General Issue.

Tender of Amends, &c.

So much of 48 G. 3. c. 140. as directs Sums presented for Houses of Correction to be paid to Receiver under that Act repealed; and such Sums to be paid by Treasurer of County as other Monies presented are paid.

XLIII. And be it enacted, That so much of the said Act of the Forty-eighth Year of the Reign of His late Majesty King *George* the Third as enacts that the Sums presented by the Term Grand Jury of the County of the City of *Dublin* for the Houses of Correction within the said Police District of *Dublin* Metropolis, and for Necessaries therein, and for Salaries to the Keepers thereof, shall be paid over by the Treasurer of the County of the City of *Dublin* to the Receiver appointed under the said Act, shall be and the same is hereby repealed; and the Monies from Time to Time presented and raised for the aforesaid Purposes, or any of them, shall, until Parliament shall otherwise provide, be paid, expended, and accounted for by said Treasurer, in like Manner and under the like Regulations as any other Monies presented by said Grand Jury, and paid, disbursed, and accounted for by such Treasurer; and the Securities of such Treasurer shall be Security for the Payment, Expenditure, and accounting for all such Sums.

Form of Oath.

XLIV. And be it further enacted, That every Person appointed under this Act, shall, before he shall do any Act in his said Office, take and subscribe the Oath following; that is to say,

'I *A. B.* do swear, That I will well and truly serve our Sovereign 'Lord the King in the Office of [*as the Case may be*], without 'Favour or Affection, Malice or Ill-will; that I will see and cause

'His Majesty's Peace to be kept and preserved; and that I will prevent to the best of my Power all Offences against the same; that while I shall continue to hold the said Office I will, to the best of my Skill and Knowledge, discharge all the Duties thereof faithfully according to Law; and that I do not now belong to, and that while I shall hold the said Office I will not join or belong to, any political Society whatsoever or any secret Society whatsoever, unless the Society of Freemasons. So help me GOD.'

And the said Oath shall be administered to the Justices to be appointed under this Act at the same Time, and by the same Persons, with the other Oaths to be by them taken; and the said Oath shall be administered to all Constables so appointed by One of the said Justices, and shall in all Cases be subscribed by the Person taking the same: Provided always, that in all Cases where an Oath is required by this Act, the Affirmation of a Quaker, Moravian, or Separatist shall be accepted in lieu of such Oath.

Repeal of so much of 31 G. 3. (I.) as prohibits Horse Races within Nine Miles of Dublin Castle.

XLV. And be it further enacted, That from and after the passing of this Act so much of an Act passed in the Thirty-first Year of the Reign of His late Majesty King *George* the Third as enacts, "that it shall not be lawful for any Person to cause any Horse, Mare, or Gelding to run for any public Prize whatever within Nine Miles of His Majesty's Castle of *Dublin*, either against any other Horse, Mare, or Gelding, or against Time; and that any Assembly of Persons more than Twelve in Number, present at any Horse Race within Nine Miles from the said Castle, shall be and be deemed an unlawful Assembly, and shall and may be dispersed as such by any Magistrate or Peace Officer as in Cases of unlawful Assemblies, and the Persons so present may be prosecuted, and in all respects proceeded against as Persons present and assisting at an unlawful Assembly," shall be and the same is hereby repealed.

Act may be altered this Session.

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

Public Act.

XLVII. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1836.