ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

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C A P. XXIV.

An Act for improving the *Dublin* Police.

[31st *May* 1842.]

WHEREAS an Act was passed in the Forty-eighth Year of the Reign of King *George* the Third, for the more effectual Administration of the Office of a Justice of the Peace, (48 G. 3. c. 140.) and for the more effectual Prevention of Felonies within the District of *Dublin* Metropolis, and the said Act was amended by an Act passed in the Fifth Year of the Reign of King *George* the Fourth: (5 G. 4. c. 102.) And whereas another Act was passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth, (6 & 7 W. 4. c. 29.) whereby a new and more efficient System of Police was established within the Limits of the said District: And whereas by several Acts passed in the First Year, and in the Sessions of Parliament holden respectively in the First and Second, Second and Third, and Third and Fourth Years of Her present Majesty's Reign, (7 W. 4. & 1 Vict. c. 25. 1 & 2 Vict. c. 63. 2 & 3 Vict. c. 78. 3 & 4 Vict. c. 103.) the Limits of the said District were altered, and divers Enactments made in reference to the said District, and for the more effectual Maintenance and Regulation of the Police therein; but it is expedient, for the more complete Efficiency of the said Police, to make further Provisions and Regulations similar to those established in the Police

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District

District of *London* Metropolis under Two Acts passed in the Session of Parliament holden in the Second and Third Years of Her present Majesty's Reign, intituled respectively *An Act for further improving the Police in and near the Metropolis*, and *An Act for regulating the Police Courts in the Metropolis*: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Forty-eighth Year of the Reign of King *George* the Third, of the Fifth Year of the Reign of King *George* the Fourth, of the Session of Parliament holden in the Sixth and Seventh Years of the Reign of King *William* the Fourth, of the First Year of Her present Majesty's Reign, and of the Sessions of Parliament holden respectively in the First and Second, Second and Third, and Third and Fourth Years of Her present Majesty's Reign, and this Act, shall be construed together as One Act; and that all and every the Enactments and Provisions therein contained shall apply and extend to this Act, and to all Convictions, Warrants, Distresses, Proceedings, and Things made, taken, or done in execution of this Act, as fully to all Intents and Purposes as if herein repeated and re-enacted, save in so far as such Enactments and Provisions are inconsistent with or contrary to this Act, or as such Enactments and Provisions may be altered by this Act, or other Enactments and Provisions made in lieu thereof.

2 & 3 Vict. c. 47.
2 & 3 Vict. c. 78.

The several recited Acts to be construed together as One Act; and their Enactments and Provisions to apply and extend to this Act.

Police Vans, &c. exempted from Turnpike Tolls.

II. And be it enacted, That no Toll shall be demanded or taken on any Turnpike Road or Bridge for any Horse or Police Van passing along such Road or Bridge in the Service of the *Dublin* Police, provided that the Rider of such Horse or Driver of such Van shall have his Dress and Accoutrements according to the Regulations of the Police at the Time of claiming the Exemption; and every Person who shall fraudulently claim or take the Benefit of the Exemption from Toll herein contained, not being lawfully entitled thereunto, shall for every such Offence be liable to a Penalty not more than Five Pounds; and in all such Cases the Proof of Exemption shall be upon the Person claiming the same.

Constables dismissed to deliver up Accoutrements.

III. And be it enacted, That every Constable belonging to the *Dublin* Police who shall be dismissed from or shall cease to hold and exercise his Office, and who shall not forthwith deliver over all the Clothing, Accoutrements, Appointments, and other Necessaries which may have been supplied to him for the Execution of his Duty to the Commissioners of Police, or to such Person, and at such Time and Place, as shall be directed by them, shall be liable to Imprisonment, with or without hard Labour, for any Time not exceeding One Calendar Month; and it shall be lawful for any Justice of the Peace to issue his Warrant to search for and seize, to the Use of Her Majesty, all the Clothing, Accoutrements, Appointments, and other Necessaries which shall not be so delivered over, wherever the same may be found.

Penalty for unlawful Possession of

IV. And be it enacted, That every Person, not being a Constable of the *Dublin* Police, who shall have in his Possession any Article,

being

being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who shall not be able satisfactorily to account for his Possession thereof, or who shall put on the Dress, or take the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he may be liable for such Offence, be liable to a Penalty not more than Ten Pounds.

Accoutrements, or for assuming the Dress of Constables.

V. And be it enacted, That every Person who for the Purpose of protecting or preventing any thing whatsoever from being seized within the Police District on Suspicion of its being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or used as Evidence concerning any Felony or Misdemeanor committed or supposed to be committed within the Police District, shall frame or cause to be framed any Bill of Parcels containing any false Statement in regard to the Name or Abode of any alleged Vendor, the Quantity or Quality of any such Thing, the Place whence or the Conveyance by which the same was furnished, the Price agreed upon or charged for the same, or any other Particular, knowing such Statement to be false, or who shall fraudulently produce such Bill of Parcels, knowing the same to have been fraudulently framed, shall be deemed guilty of a Misdemeanor.

Framing a false Bill of Parcels to escape Detection, a Misdemeanor.

VI. And be it enacted, That every Person licensed to deal in exciseable Liquors within the said Police District who shall knowingly supply any Sort of distilled exciseable Liquor to any Boy or Girl apparently under the Age of Sixteen Years, to be drunk upon the Premises, shall be liable to a Penalty not more than Twenty Shillings, and upon Conviction of a Second Offence shall be liable to a Penalty not more than Forty Shillings, and upon Conviction of a Third Offence shall be liable to a Penalty not more than Five Pounds.

Publicans prohibited from supplying Liquors to Persons under Sixteen Years of Age.

VII. And be it enacted, That every Person who shall have or keep any House, Shop, Room, or Place of public Resort within the said Police District wherein Provisions, Liquors, or Refreshments of any Kind shall be sold or consumed (whether the same shall be kept or retailed therein or procured elsewhere), and who shall wilfully or knowingly permit Drunkenness or other disorderly Conduct in such House, Shop, Room, or Place, or knowingly suffer any unlawful Games or any Gaming whatsoever therein, or knowingly permit or suffer Prostitutes or Persons of notoriously bad Character to meet together and remain therein, shall for every such Offence be liable to a Penalty of not more than Five Pounds: Provided always, that if the Offender be licensed to sell Beer by Retail to be drunk on the Premises, this Enactment shall not be construed to exempt him from the Penalties or penal Consequences to which he may

Regulations respecting Public Houses to extend to other Houses of public Resort.

may be liable for committing an Offence against the Tenor of the Licence to him granted.

For preventing the keeping of Places for Bear-baiting, Cock-fighting, &c.

VIII. And be it enacted, That every Person who shall keep or use or act in the Management of any House, Room, Pit, or other Place within the said Police District for the Purpose of fighting or baiting Lions, Bears, Badgers, Cocks, Dogs, or other Animals, shall be liable to a Penalty not more than Five Pounds, or, in the Discretion of the Magistrate, may be committed to the House of Correction, with or without hard Labour, for a Time not more than One Calendar Month; and it shall be lawful for the Commissioners of Police, by Order in Writing, to authorize any Superintendent belonging to the *Dublin* Police, with such Constables as he shall think necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons who shall be found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not more than Five Shillings; and a Conviction under this Act of this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any Penalty or penal Consequences to which he may be liable for the Nuisance thereby occasioned.

Commissioners empowered to authorize Superintendents of Police to enter Gaming Houses.

IX. And be it enacted, That if any Superintendent belonging to the said *Dublin* Police shall report in Writing to the Commissioners of Police that there are good Grounds for believing any House or Room within the said Police District to be kept or used as a common Gaming House, and if Two or more Householders dwelling within the said District, and not belonging to the said Police, shall make Oath in Writing, to be by them taken and subscribed before a Divisional Justice and annexed to the said Report, which Oath every Divisional Justice is hereby empowered to administer and receive, that the Premises complained of by the Superintendent are commonly reported and are believed by the Deponents to be kept or used as a common Gaming House, it shall be lawful for the said Commissioners, by Order in Writing, to authorize the Superintendent to enter any such House or Room with such Constables as shall be directed by the said Commissioners to accompany him, and if necessary to use Force for the Purpose of effecting such Entry, whether by breaking open Doors or otherwise, and to take into Custody all Persons who shall be found therein, and to seize and destroy all Tables and Instruments of Gaming found in such House or Premises, and also to seize all Monies and Securities for Money found therein; and the Owner or Keeper of the said Gaming House, or other Person having the Care and Management thereof, and also every Banker, Croupier, and other Persons who shall act in any Manner in conducting the said Gaming House, shall be liable to a Penalty not more than One hundred Pounds, or, in the Discretion of the Divisional Justice before whom he shall be convicted of the Offence, may be committed to the House of Correction, with or without hard Labour, for a Time not more than Six Calendar Months; and upon Conviction of any such Offender all the Monies and Securities for Monies which shall have been seized as aforesaid shall be paid to the Receiver of the Police District, to be by him applied towards

Owners or Keepers thereof liable to Penalty.

towards defraying the Charge of the *Dublin* Police; and every Person found in such Premises without lawful Excuse shall be liable to a Penalty not more than Five Pounds: Provided always, that nothing herein contained shall prevent any Proceeding by Indictment against the Owner or Keeper or other Person having the Care or Management of any Gaming House, but no Person shall be proceeded against by Indictment and also under this Act for the same Offence.

Not to prevent proceeding by Indictment.

X. And be it enacted, That it shall not be necessary, in support of any Information for gaming in, or suffering any Games or gaming in, or for keeping or issuing or being concerned in the Management or Conduct of a common Gaming House under this Act, to prove that any Person found playing at any Game was playing for any Money, Wager, or Stake.

Proof of Gaming for Money, &c. not necessary in support of Information.

XI. And be it enacted, That on the Application of the Minister or Churchwardens of any Church, Chapel, or other Place of public Worship within the Police District to the Commissioners of Police, it shall be lawful for the said Commissioners to make Orders for regulating the Route and Conduct of Persons who shall drive any Cart or Carriage, or who shall drive any Cattle, Sheep, Pigs, or other Animals, within such Parish or Place, during the Hours of Divine Service on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a public Fast or Thanksgiving; and any Orders which shall be so made shall be printed and affixed on or near the Church, Chapel, or Place of public Worship to which the same shall refer, and in some conspicuous Places leading to and contiguous thereto, and elsewhere, as the said Commissioners shall direct; and every Breach of any such Order shall be deemed a separate Offence.

Commissioners of Police may regulate the Route and Conduct of Persons driving Stage Carriages, Cattle, &c. during the Hours of Divine Service;

XII. And be it enacted, That it shall be lawful for the Commissioners of Police, from Time to Time and as Occasion shall require, to make Regulations for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets and Thoroughfares within the Police District, in all Times of public Processions, public Rejoicings, or Illuminations, and also to give Directions to the Constables for keeping Order, and for preventing any Obstructions of the Thoroughfares in the immediate Neighbourhood of any Place or Places of public Resort, and in any Case when the Streets or Thoroughfares may be thronged or may be liable to be obstructed.

and to make Regulations for preventing Obstructions in the Streets during public Processions, &c.

XIII. And be it enacted, That no Proprietor of any Stage Carriage, duly licensed to carry Passengers for Hire, shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in his Licence which the Driver of such Stage Carriage shall make by virtue of any Regulations or Direction made or given by the Commissioners of Police.

Proprietors of Stage Carriages not liable to Penalties for deviating from Route.

XIV. And be it enacted, That every Person shall be liable to a Penalty not exceeding Forty Shillings who, within the Limits of the Police

Prohibition of Nuisances by Persons in public

Thoroughfares. Police District, shall in any Thoroughfare or public Place commit any of the following Offences; (that is to say,)

1. Every Person who shall, to the Annoyance of the Inhabitants or Passengers, expose for Show or Sale (except in a Market lawfully appointed for that Purpose), or feed or fodder any Horse or other Animal, or show any Caravan containing any Animal or any other Show or public Entertainment; or shoe, bleed, or farry any Horse or Animal (except in Cases of Accident), or clean, dress, exercise, train, or break any Horse or Animal; or clean, make, or repair any Part of any Cart or Carriage, (except in Cases of Accident,) where Repair on the Spot is necessary:
2. Every Person who shall turn loose any Horse or Cattle, or suffer to be at large any unmuzzled ferocious Dog, or set on or urge any Dog or other Animal to attack, worry, or put in Fear any Person, Horse, or other Animal:
3. Every Person who by Negligence or Ill-usage in driving Cattle shall cause any Mischief to be done by such Cattle, or who shall in anywise misbehave himself in the driving, Care, or Management of such Cattle; and also every Person, not being hired or employed to drive such Cattle, who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle:
4. Every Person having the Care of any Cart or Carriage who shall ride on any Part thereof, on the Shafts, or on any Horse or other Animal drawing the same, without having and holding the Reins, or who shall be at such a Distance from such Cart or Carriage as not to have the complete Control over every Horse or other Animal drawing the same:
5. Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or to the common Danger of the Passengers in any Thoroughfare:
6. Every Person who shall cause any Cart, public Carriage, Sledge, Truck, or Barrow, with or without Horses, to stand longer than may be necessary for loading or unloading, or for taking up or setting down Passengers, except Hackney Carriages standing for Hire in any Place not forbidden by Law, or who by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Horse or other Animal, shall wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any Thoroughfare:
7. Every Person who shall lead or ride any Horse or other Animal, or draw or drive any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway or Curbstone, or fasten any Horse or other Animal so that it can stand across or upon any Footway:
8. Every Person who shall roll or carry any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Showboard, or Placard, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:
9. Every Person who, after being made acquainted with the Regulations or Directions which the said Commissioners of Police shall have made for regulating the Route of Horses, Carts,

Carriages, and Persons during the Time of Divine Service, and for preventing Obstructions during public Processions, and on other Occasions herein-before specified, shall wilfully disregard or not conform himself thereunto:

10. Every Person who, without the Consent of the Owner or Occupier, shall affix any Posting Bill or other Paper against or upon any Building, Wall, Fence, or Pale, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Pale with Chalk or Paint, or in any other Way whatsoever, or wilfully break, destroy, or damage any Part of any such Building, Wall, Fence, or Pale, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat, in any public Walk, Park, or Garden:
11. Every common Prostitute or Night-walker loitering or being in any Thoroughfare or public Place for the Purpose of Prostitution or Solicitation, to the Annoyance of the Inhabitants or Passengers:
12. Every Person who shall sell or distribute, or offer for Sale or Distribution, or exhibit to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sing any profane, indecent, or obscene Song or Ballad, or write or draw any indecent or obscene Word, Figure, or Representation, or use any profane, indecent, or obscene Language, to the Annoyance of the Inhabitants or Passengers:
13. Every Person who shall use any threatening, abusive, or insulting Words or Behaviour, with Intent to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned:
14. Every Person, except the Guards and Postmen belonging to Her Majesty's Post Office in the Performance of their Duty, who shall blow any Horn or use any other noisy Instrument for the Purpose of calling Persons together or of announcing any Show or Entertainment, or for the Purpose of hawking, selling, distributing, or collecting any Article whatsoever, or of obtaining Money or Alms:
15. Every Person who shall wantonly discharge any Firearm, or throw or discharge any Stone or other Missile, to the Damage or Danger of any Person, or make any Bonfire, or throw or set fire to any Firework:
16. Every Person who shall wilfully and wantonly disturb any Inhabitant by pulling or ringing any Door Bell or knocking at any Door without lawful Excuse, or who shall wilfully and unlawfully extinguish the Light of any Lamp:
17. Every Person who shall fly any Kite or play at any Game, to the Annoyance of the Inhabitants or Passengers, or who shall make or use any Slide upon Ice or Snow in any Street or other Thoroughfare, to the common Danger of the Passengers:

And it shall be lawful for any Constable belonging to the *Dublin* Police to take into Custody without Warrant any Person who shall commit any such Offence within View of any such Constable.

XV. And

Drunkards guilty of riotous or indecent Behaviour may be imprisoned.

XV. And be it enacted, That every Person who shall be found drunk in any Street or public Thoroughfare within the Police District, and who while drunk shall be guilty of any riotous or indecent Behaviour, and also every Person who shall be guilty of any violent or indecent Behaviour in any Police Station House, shall be liable to a Penalty of not more than Forty Shillings for every such Offence, or may be committed, if the Justice before whom he shall be convicted shall think fit, instead of inflicting on him any pecuniary Penalty, to the House of Correction for any Time not more than Seven Days.

Persons using Carriages without Driver's Consent liable to a Penalty.

XVI. And be it enacted, That every Person who shall ride upon or cause himself to be carried or drawn by any Carriage within the Police District, without the Consent of the Owner or Driver thereof, shall be liable to a Penalty not more than Five Shillings, or if a Child apparently under the Age of Twelve Years it shall be lawful for the Justice to cause such Child to be detained until his Parent or Guardian can attend for the Purpose of having such Child delivered into his Care, and if such Parent or Guardian do not so attend before the closing of the Police Office for the Day it shall be lawful for the Justice to order such Child to be discharged.

Prohibition of other Nuisances.

XVII. And be it enacted, That every Person who in any Street or public Place within the Limits of the Police District shall be guilty of any of the following Offences shall be liable to a Penalty not more than Forty Shillings for every such Offence; (that is to say,)

1. Every Person who in any Thoroughfare shall burn, dress, or cleanse any Cork, or hoop, cleanse, fire, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or slack, sift, or screen any Lime:
2. Every Person who shall throw or lay in any Thoroughfare any Coals, Stones, Slates, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials, or Rubbish thereby occasioned, which shall be placed or enclosed so as to prevent any Mischief happening to Passengers):
3. Every Person who in any Thoroughfare shall beat or shake any Carpet, Rug, or Mat, (except Door Mats before the Hour of Eight in the Morning,) or throw or lay any Dirt, Litter, or Ashes, or any Carrion, Fish, Offal, or Rubbish, or throw or cause any such Thing to fall into any Sewer, Pipe, or Drain, or into any Well, Stream or Watercourse, Pond or Reservoir for Water, or cause any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill, into any Thoroughfare, or any uncovered Place, whether or not surrounded by a Wall or Fence; but it shall not be deemed an Offence to lay Sand or other Materials in any Thoroughfare in Time of Frost to prevent Accidents, or Litter or other Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things shall cause them to be removed as soon as the Occasion for them shall cease:

4. Every

4. Every Person who shall empty or begin to empty any Privy between the Hours of Six in the Morning and Twelve at Night, or remove along any Thoroughfare any Night Soil, Soap Lees, ammoniacal Liquor, or other such offensive Matter, between the Hours of Six in the Morning and Eight in the Evening, or who shall at any Time use for any such Purpose any Cart or Carriage not having a proper Covering, or who shall wilfully or carelessly slop or spill any such offensive Matter in the Removal thereof, or who shall not carefully sweep and clean every Place in which any such offensive Matter shall have been placed, slopped, or spilled; and, in default of the Apprehension of the actual Offender, the Owner of the Cart or Carriage employed for any such Purpose shall be deemed to be the Offender: Provided always, that this Enactment shall not be construed to prevent the Commissioners for paving and lighting and cleansing the Streets of *Dublin*, within the Metropolitan Police District aforesaid, or any Person acting in their Service or by their Direction, from emptying or removing along any Thoroughfare at any Time the Contents of any Sewer which they are authorized to cleanse or empty:
5. Every Person who shall keep any Pigstye to the Front of any Street or Road in any Town within the said District, not being shut out from such Street or Road by a sufficient Wall or Fence, or who shall keep any Swine in or near any Street, or in any Dwelling, so as to be a common Nuisance:
6. Every Occupier of a House or other Tenement in any Town within the said District who shall not keep sufficiently swept and cleansed all Footways and Watercourses adjoining the Premises occupied by him; and if any Tenement be empty or unoccupied the Owner thereof shall be deemed the Occupier with reference to this Enactment:
7. Every Person who shall expose any thing for Sale in any Park or public Garden, unless with the Consent of the Owner or other Person authorized to give such Consent, or upon or so as to hang over any Carriageway or Footway, or on the Outside of any House or Shop; or who shall set up or continue any Pole, Blind, Awning Line, or any other Projection from any Window, Parapet, or other Part of any House, Shop, or other Building, so as to cause any Annoyance or Obstruction in any Thoroughfare:
8. Every Person who, to the Danger of Passengers in any Thoroughfare, shall leave open any Vault or Cellar, or the Entrance from any Thoroughfare to any Cellar or Room under Ground, without a sufficient Fence or Hand Rail, or leave defective the Door, Window, or other Covering of any Vault or Cellar, or who shall not sufficiently fence any Area, Pit, or Sewer left open in or adjoining to any Thoroughfare, or who shall leave such open Area, Pit, or Sewer without a sufficient Light after Sunset, to warn and prevent Persons from falling thereinto.

Cutting Ropes, Cables, &c.

XVIII. And be it enacted, That every Person who shall unlawfully cut, damage, or destroy any of the Ropes, Cables, Cordage, Tackle, Headfasts, or other the Furniture of or belonging to any Ship, Boat, or Vessel lying in the River *Liffey*, Harbour of *Dublin*, or Harbour of *Kingstown*, or in any of the Docks or Creeks adjacent thereto respectively, with Intent to steal or otherwise unlawfully obtain the same or any Part thereof, shall be deemed guilty of a Misdemeanor.

The Police to have the Power of Constables upon the River Liffey, &c.; and may take into Custody any Person who, to prevent Discovery, shall wilfully let fall any Articles into the River or Harbour of Kingstown.

XIX. And be it enacted, That every Officer and Constable belonging to the *Dublin* Police shall have all the Powers and Privileges of a Constable upon the River *Liffey* within or adjoining to the said District, or the several Counties of *Dublin*, *Kildare*, and *Wicklow*, and in and on the Harbour of *Dublin* and Harbour of *Kingstown*, and the Docks or Creeks adjacent thereto; and that it shall be lawful for any such Constable to take into Custody every Person who, for the Purpose of preventing the Seizure or Discovery of any Materials, Furniture, Stores, or Merchandize belonging to or having been Part of the Cargo of any Ship, Boat, or Vessel lying in the River *Liffey*, Harbour of *Dublin*, or Harbour of *Kingstown*, or the Docks or Creeks adjacent thereto respectively, or of any other Articles unlawfully obtained from any such Ship, Boat, or Vessel, shall wilfully let fall or throw into the said River, or any of the said Docks or Creeks, or in any other Manner convey away from any Ship, Boat, or Vessel, Wharf, Quay, or Landing Place, any such Article, or who shall be accessory to any such Offence, and also to seize and detain any Boat in which such Person shall be found, or out of which any Article shall be so let fall, thrown, or conveyed away; and every such Person shall be deemed guilty of a Misdemeanor.

Possessing Instruments for unlawfully procuring and carrying away Wine, &c., a Misdemeanor.

XX. And be it enacted, That every Person who shall be found within the Police District in or upon any Canal, Dock, Warehouse, Wharf, Quay, or Bank, or on board any Ship or Vessel, having in his or her Possession any Tube or other Instrument for the Purpose of unlawfully obtaining any Wine, Spirits, or other Liquors, or having in his or her Possession any Skin, Bladder, or other Material or Utensil for the Purpose of unlawfully using, secreting, or carrying away any such Wine, Spirits, or other Liquors, and any Person who shall attempt unlawfully to obtain any such Wine, Spirits, or other Liquor, shall be deemed guilty of a Misdemeanor.

Piercing Casks, opening Packages, &c., a Misdemeanor.

XXI. And be it enacted, That every Person who shall within the Police District bore, pierce, break, cut open, or otherwise injure any Cask, Box, or Package containing Wine, Spirits, or other Liquors on board any Ship, Boat, or Vessel, or in or upon any Warehouse, Wharf, Quay, or Bank, with Intent feloniously to steal or otherwise unlawfully obtain any Part of the Contents thereof, or who shall unlawfully drink or wilfully spill or allow to run to waste any Part of the Contents thereof, shall be deemed guilty of a Misdemeanor.

XXII. And

Breaking Packages, with intent to spill Contents, a Misdemeanor.

XXII. And be it enacted, That every Person who shall within the Police District wilfully cause to be broken, pierced, started, cut, torn, or otherwise injured any Cask, Chest, Bag, or other Package containing or prepared for containing any Goods while on board of any Barge, Lighter, or other Craft lying in the said River or either of the said Harbours, or any Dock, Creek, Quay, Wharf, or Landing Place adjacent to the same, or in the Way to or from any Warehouse, with Intent that the Contents of such Package or any Part thereof may be spilled or dropped from such Package, shall be deemed guilty of a Misdemeanor.

Superintendents and Inspectors may board Vessels.

XXIII. And be it enacted, That any Superintendent or Inspector belonging to the *Dublin* Police shall have Power by virtue of his Office to enter at all Times with such Constables as he shall think necessary, as well by Night as by Day, into and upon every Ship, Boat, or other Vessel, (not being then actually employed in Her Majesty's Service,) lying in the said River or any of the said Harbours, Docks, and Creeks, and into every Part of every such Vessel, for the Purpose of inspecting, and upon Occasion directing the Conduct of any Police Constable who may be stationed on board of any such Vessel, and of inspecting and observing the Conduct of all other Persons who shall be employed on board of any such Vessel in or about the lading or unlading thereof, as the Case may be, and for the Purpose of taking all such Measures as may be necessary for providing against Fire and other Accidents, and preserving Peace and good Order on board of any such Vessel, and for the effectual Prevention or Detection of any Felonies or Misdemeanors.

Superintendent, &c., having just Cause to suspect Felony, may enter on board Vessels, &c. to take up suspected Persons.

XXIV. And be it enacted, That it shall be lawful for every Superintendent, Inspector, or Serjeant belonging to the *Dublin* Police, having just Cause to suspect that any Felony has been or is about to be committed in or on board of any Ship, Boat, or other Vessel lying in the said River, or any of the said Harbours, Docks, and Creeks, to enter at all Times, as well by Night as by Day, into and upon every such Ship, Boat, or other Vessel, and therein to take all necessary Measures for the effectual Prevention or Detection of all Felonies which he has just Cause to suspect to have been or to be about to be committed in or upon the said River or Harbours, Docks or Creeks, and to take into Custody all Persons suspected of being concerned in such Felonies, and also to take charge of all Property so suspected to be stolen.

Divisional Justices may award Compensation for Hurt or Damage not exceeding 10*l.*

XXV. And be it enacted, That every Person who by committing any Offence herein forbidden within the Police District shall have caused any Hurt or Damage to any Person or Property, may be apprehended, with or without any Warrant, by any Constable belonging to the *Dublin* Police, and if he shall not, upon Demand, make amends for such Hurt or Damage to the Satisfaction of the Persons aggrieved, he shall be detained by the Constable in order to be taken before a Divisional Justice, and upon Conviction shall pay such a Sum, not exceeding Ten Pounds, as shall appear to the Divisional Justice before whom he shall be convicted to be reasonable

Amends

Amends to the Person aggrieved, besides any Penalty to which he may be liable for the Offence, and the Evidence of the Person aggrieved shall be admitted in Proof of the Offence: Provided always, that if the Person aggrieved shall have been the only Witness examined in Proof of the Offence, the Sum ordered as Amends shall be paid and applied in the same Manner as a Penalty.

Constables may apprehend any Offender whose Name and Residence are not known.

XXVI. And be it enacted, That it shall be lawful for any Constable belonging to the *Dublin* Police, and for all Persons whom he shall call to his Assistance, to take into Custody without a Warrant any Persons who within View of any such Constable shall offend in any Manner against this Act, and whose Name and Residence shall be unknown to such Constable, and cannot be ascertained by such Constable.

Constables may apprehend without Warrant in certain Cases.

XXVII. And be it enacted, That it shall be lawful for any Constable belonging to the *Dublin* Police to take into Custody without a Warrant all loose, idle, and disorderly Persons whom he shall find disturbing the public Peace, or whom he shall have good Cause to suspect of having committed or being about to commit any Felony, Misdemeanor, or Breach of the Peace, and all Persons whom he shall find between Sunset and the Hour of Eight in the Morning lying or loitering in any Highway, Yard, or other Place, and not giving a satisfactory Account of themselves.

Persons charged with recent Assaults may be apprehended without Warrants.

XXVIII. And be it enacted, That it shall be lawful for any Constable belonging to the said *Dublin* Police to take into Custody without Warrant any Person who within the Limits of the Police District shall be charged by any other Person with committing any aggravated Assault, in every Case in which such Constable shall have good Reason to believe that such Assault has been committed, although not within View of such Constable, and that by reason of the recent Commission of the Offence a Warrant could not have been obtained for the Apprehension of the Offender.

Power to Police Constables and Persons aggrieved to apprehend certain Offenders, &c.

XXIX. And be it enacted, That any Person found committing any Offence punishable either upon Indictment, or as a Misdemeanor upon summary Conviction, by virtue of this Act, may be taken into Custody without a Warrant by any Constable belonging to the *Dublin* Police, or may be apprehended by the Owner of the Property on or with respect to which the Offence was committed, or by his Servant or any Person authorized by him, and may be detained until he can be delivered into the Custody of a Constable, to be dealt with according to Law; and every such Constable may also stop, search, and detain any Vessel, Boat, Cart, or Carriage in or upon which there shall be reason to suspect that any thing stolen or unlawfully obtained may be found, and also any Person who may be reasonably suspected of having or conveying in any Manner any thing stolen or unlawfully obtained; and any Person to whom any Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed with respect to such Property, or that the same or any Part thereof has been stolen or otherwise unlawfully obtained, is hereby authorized,

and, if in his Power, is required to apprehend and detain, and as soon as may be to deliver such Offender into the Custody of a Constable belonging to the *Dublin* Police, together with such Property, to be dealt with according to Law.

Removing Furniture to evade Rent.

XXX. And be it enacted, That it shall be lawful for any Constable belonging to the Police Force to stop and detain, until due Inquiry can be made, all Carts and Carriages which he shall find employed in removing the Furniture of any House or Lodging between the Hours of Eight in the Evening and Six in the following Morning, or whenever the Constable shall have good Grounds for believing that such Removal is made for the Purpose of evading the Payment of Rent.

Horses, Carriages, &c. of Offenders may be detained.

XXXI. And be it enacted, That whenever any Person having Charge of any Horse, Cart, Carriage, or Boat, or any other Animal or Thing, shall be taken into the Custody of any Constable under the Provisions of this Act, it shall be lawful for such Constable to take charge of such Horse, Cart, Carriage, or Boat, or such other Animal or Thing, and to deposit the same in some Place of safe Custody as a Security for Payment of any Penalty to which the Person having had Charge thereof may become liable, and for Payment of any Expences which may have been necessarily incurred for taking charge of and keeping the same; and it shall be lawful for any Divisional Justice before whom the Case shall have been heard to order such Horse, Cart, Carriage, or Boat, or such other Animal or Thing, to be sold for the Purpose of satisfying such Penalty and reasonable Expences, in default of Payment thereof, in like Manner as if the same had been subject to be distrained and had been distrained for the Payment of such Penalty and reasonable Expences.

Persons apprehended without Warrant to be taken to the Station House.

XXXII. And be it enacted, That every Person taken into Custody by any Constable belonging to the *Dublin* Police without Warrant, except Persons detained for the mere Purpose of ascertaining their Name or Residence, shall be forthwith delivered into the Custody of the Constable in charge of the nearest Station House, in order that such Person may be secured until he can be brought before a Divisional Justice, to be dealt with according to Law, or may give Bail for his Appearance before a Divisional Justice, if the Constable in charge shall deem it prudent to take Bail, in the Manner herein-after mentioned.

Power to take Recognizances at Station Houses on Petty Charges.

XXXIII. And be it enacted, That whenever any Person charged with any Offence of which he is liable to be summarily convicted before a Magistrate, or with having carelessly done any Hurt or Damage, shall be, without the Warrant of a Magistrate, in the Custody of any Constable of the said *Dublin* Police in charge of any Station House during the Time when the Police Offices shall be shut, it shall be lawful for such Constable, if he shall deem it prudent, to take the Recognizance of such Person, with or without Sureties, conditioned as herein-after mentioned.

Power to bind over Persons making Charges.

XXXIV. And be it enacted, That whenever any Person charged with any Felony, or any Misdemeanor punishable by Transportation, or other grave Misdemeanor, shall be without Warrant in the Custody of any Constable of the said *Dublin* Police at any Station House during the Time when the Police Offices shall be shut, it shall be lawful for the Constable in charge of the Station House to require the Persons making such Charge to enter into a Recognizance conditioned as herein-after mentioned, and upon his or her Refusal so to do it shall be lawful for such Constable, if he shall deem it prudent, to discharge from Custody the Person so charged, upon his or her Recognizance, with or without Sureties, conditioned as herein-after mentioned.

Condition of Recognizances.

XXXV. And be it enacted, That every Recognizance so taken shall be without Fee or Reward, and shall be conditioned for the Appearance of the Person thereby bound before a Justice of the Division in which such Station House shall be situated, at his next Sitting, and the Time and Place of Appearance shall be specified in the Recognizance; and the Constable shall enter in a Book, to be kept for that Purpose at every such Station House, the Name, Residence, and Occupation of the Party, and his Surety or Sureties (if any), entering into such Recognizance, together with the Condition thereof, and the Sum thereby acknowledged, and shall return every such Recognizance to the Justice present, at the Time and Place when and where the Party is bound to appear.

Offences for which no Penalty is appointed.

XXXVI. And be it enacted, That for every Misdemeanor or other Offence against this Act for which no special Penalty is appointed the Offender shall, at the Discretion of the Justice before whom the Conviction shall take place, either be liable to a Penalty not more than Five Pounds, or be imprisoned for any Time not more than One Calendar Month in any Gaol or House of Correction within the Police District.

Not to repeal Local Acts containing Penalties.

XXXVII. Provided always, and be it enacted, That nothing herein contained shall be construed to prevent any Person from being indicted for any indictable Offence made punishable on summary Conviction by this Act, or to relieve any Person from being liable under any other Act or Acts to any other or higher Penalty or Punishment than is provided for such Offence by this Act, so (nevertheless) that no Person be punished twice for the same Offence.

Offences how to be tried.

XXXVIII. And be it enacted, That every such Justice shall be empowered summarily to convict any Person charged with any Offence against this Act on the Oath of One or more Witnesses, or by his own Confession, and to award the Penalty or Punishment herein provided for such Offence; and the Matter of every such Complaint shall be heard and determined by One or more of the Divisional Justices at one of the Divisional Offices.

If Penalty not paid, Offender may be committed.

XXXIX. And be it enacted, That in every Case of the Adjudication of a pecuniary Penalty or Amends under this Act, and Non-payment thereof, it shall be lawful for the Justice to commit the

Offender to any Gaol or House of Correction within his Jurisdiction for a Term not more than One Calendar Month where the Sum to be paid should not exceed Five Pounds, the Imprisonment to cease on Payment of the Sum due and the Costs for the Recovery thereof; and so much of every such pecuniary Penalty as shall not be awarded to the Informer, or other Persons who have contributed to the Conviction, shall be paid to the Receiver of the *Dublin* Police, for the Purposes of this Act.

Application of Penalty when Constable contributes to Conviction.

XL. Provided always, and be it enacted, That in all Cases in which a Constable, or other Person holding Office in the *Dublin* Police, shall have contributed to the Conviction, the whole of the pecuniary Penalty shall be paid to the said Receiver, for the Purpose before mentioned.

Commissioners of Paving to erect Urinaries. 47 G. 3. sess. 2. c. cix.

XLI. And be it enacted, That the Commissioners for paving, cleansing, and lighting the Streets of *Dublin*, appointed under the Authority of an Act passed in the Forty-seventh Year of the Reign of King *George* the Third, intituled *An Act for the more effectual Improvement of the City of* Dublin *and the Environs thereof*, shall provide, as soon as conveniently may be, public Urinaries, at such Places within the Limits of the Police District, and according to such Plans, as the said Police Commissioners may approve.

Commissioners of Paving empowered to purchase Buildings and Ground for such Purpose.

XLII. And be it enacted, That for the Purpose of providing such Urinaries it shall and may be lawful for the said Commissioners of Paving to exercise all the Powers which by the said Act passed in the Forty-seventh Year of the Reign of King *George* the Third are vested in them for the taking or purchase of Ground or Buildings for the Purpose of the said Act; and all and every the Provisions in the said Act contained for taking Ground or Buildings, or ascertaining the Amount of the Purchase Money or Compensation to be paid for the same, or the Application thereof, or making out Title to the same, or disposing of any Part or Parts thereof not required by the said Commissioners of Paving, or otherwise in relation thereto, shall apply and extend to the Purposes of this Act as if repeated and re-enacted herein.

Repair of Urinaries.

XLIII. And be it enacted, That the said Commissioners of Paving shall keep all such Urinaries at all Times in repair and duly cleansed.

Commissioners of Paving empowered to defray the Expence of erecting such Urinaries, &c. 54 G. 3. c. ccxxi.

XLIV. And be it enacted, That it shall and may be lawful for the said Commissioners of Paving to defray the Expence of carrying this Act into execution, as regards such Urinaries, out of all and every the Rates and Assessments which by the said Act of the Forty-seventh Year of the Reign of King *George* the Third, and by an Act passed in the Fifty-fourth Year of the same Reign, intituled *An Act to explain and amend an Act passed in the Forty-seventh Year of His present Majesty's Reign, for the more effectual Improvement of the City of* Dublin *and the Environs thereof*, or by either of the said Acts, the said Commissioners of Paving are empowered to raise and levy, as if such Urinaries had been mentioned in such Act or Acts.

XLV. And

Urinaries to be subject to Commissioners.

XLV. And be it enacted, That the Use of all such Urinaries as shall be erected or constructed under this Act shall be subject to the Regulation and Control of the said Commissioners of Police.

Supply of Vacancies among Divisional Justices.

XLVI. And be it enacted, That all Persons who may be hereafter appointed to supply Vacancies among the Divisional Justices of the said District shall be Barristers, each of whom shall have practised as a Barrister during at least Six Years then last past.

One Divisional Justice may do any Act directed to be done by more than One Justice, except at Petty Sessions.

XLVII. And be it enacted, That it shall be lawful for any One of the said Divisional Justices appointed or hereafter to be appointed to do alone, at any of the Divisional Offices, or at any Place where for any special Purpose he may by Warrant under the Hand of the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* be directed to attend, and to act singly, any Act which by any Law now in force, or by any Law not containing an express Enactment to the contrary hereafter to be made, is or shall be directed to be done by more than One Justice: Provided always, that none of the said Justices shall be competent to act as a Justice of the Peace, either alone or with any other Justice or Justices, in any thing which is to be done at a Special or Petty Sessions of all the Justices acting in the Division, or by Justices in Quarter Sessions assembled.

Warrant, &c. may be served out of Districts by any Constable of the Force.

XLVIII. And be it enacted, That every Distress or Levy Warrant, or Search Warrant, or Warrant to compel the Appearance of any Person, or Warrant for the Apprehension of any Person charged with any Offence, issued by any of the Divisional Justices, or by the Commissioners of Police, or either of them, in respect of any Matter arising within the Police District, may be served or executed out of the said District by any Constable belonging to the *Dublin* Police or Constabulary Force, or other Peace Officer to whom the same shall be directed, and shall have the same Force and Effect as if the same had been originally issued or subsequently endorsed by a Justice or Justices of the Peace having Jurisdiction in the Place where the same shall be served or executed.

Divisional Justices may proceed by Summons, and if Party summoned does not appear may issue Warrant.

XLIX. And be it enacted, That upon any Information or Complaint to be laid or made before any Divisional Justice of any Matter which such Justice is authorized to hear and determine summarily, he may summon the Party charged, and if such Party shall not appear according to the Tenor of the Summons, any one of the Divisional Justices, upon Proof of the Service of the Summons, may proceed, in all Cases which are not of a Criminal Nature, if no sufficient Cause shall be shown for the Nonappearance of the Party, to hear and determine the Case in the Absence of the Party, and in all Criminal Cases shall issue his Warrant for apprehending and bringing such Party before him or some other Divisional Justice, in order that the said Information or Complaint may be heard and determined.

How Summons may be served.

L. And be it enacted, That every such Summons may be served by delivering a Copy of the Summons to the Party, or by delivering at his usual Place of Abode a Copy of the Summons to the Wife or Servant

Servant or some Inmate of the Family of the Party, such Servant or Inmate being of the Age of Sixteen Years or upwards, and explaining the Purport thereof to such Wife, Servant, or Inmate.

Warrant for Apprehension may be issued without Summons, &c.

LI. And be it enacted, That every such Justice may, without issuing any Summons, forthwith issue his Warrant for the Apprehension of any Person charged with any Offence cognizable before him, whenever good Grounds for so doing shall be stated on Oath before him.

Justices may enforce Attendance of Witnesses.

LII. And be it enacted, That any such Justice may summon any Witness to appear and give Evidence before him upon the Matter of any Offence cognizable before such Justice with which any Person shall be charged before him, at a Time and Place appointed for hearing the Information or Complaint, and by Warrant under his Hand and Seal may require any Person to be brought before him who shall neglect or refuse to appear to give Evidence at the Time and Place appointed in such Summons, Proof upon Oath being first given of personal Service of the Summons upon the Person against whom such Warrant shall be granted, and such Justice may commit any Person coming or brought before him who shall refuse to give Evidence to any Gaol or House of Correction within the Police District, there to remain without Bail or Mainprize for any Time not exceeding Fourteen Days, or until such Person shall sooner submit himself to be examined, and in case of such Submission the Order of any such Justice shall be a sufficient Warrant for the Discharge of such Person.

Persons convicted of having or conveying stolen Goods liable to Penalty or Imprisonment.

LIII. And be it enacted, That every Person who shall be brought before any of the Divisional Justices charged with having in his Possession, or on his Premises with his Knowledge, or conveying in any Manner any thing which may be reasonably suspected of being stolen or unlawfully obtained, and who shall not give an Account to the Satisfaction of such Justice how he came by the same, shall be deemed guilty of a Misdemeanor, and on Conviction thereof before such Justice or Justices shall be liable to a Penalty not more than Five Pounds, or, in the Discretion of the Justice, may be imprisoned in any Gaol or House of Correction within the Police District, with or without hard Labour, for any Time not exceeding Two Calendar Months.

On Suspicion of Goods being stolen or unlawfully obtained, Divisional Justices may grant Search Warrants.

LIV. And be it enacted, That if Information shall be given on Oath to any of the Divisional Justices that there is reasonable Cause for suspecting that any thing stolen or unlawfully obtained is concealed or lodged in any Dwelling House or any other Place, it shall be lawful for such Justice, by special Warrant under his Hand, directed to any Constable, to cause every such Dwelling House or other Place to be entered and searched at any Time of the Day or by Night, if Power for that Purpose be given by such Warrant; and the said Justice, if it shall appear to him necessary, may empower such Constable, with such Assistance as may be found necessary, such Constable having previously made known such his Authority, to use Force for the effecting of such Entry, whether by breaking

open Doors or otherwise, and if upon Search thereupon made any such Thing shall be found, then to convey the same before a Justice, or to guard the same on the Spot, until the Offenders are taken before a Justice, or otherwise dispose thereof in some Place of Safety, and moreover to take into Custody and carry before the said Justice every Person found in such House or Place who shall appear to have been privy to the Deposit of any such Thing, knowing or having reasonable Cause to suspect the same to have been stolen or otherwise unlawfully obtained.

Party by whom stolen Goods are received to be examined by the Justices.

LV. And be it enacted, That when any Person shall be brought before any Divisional Justice charged with having or conveying any thing stolen or unlawfully obtained, and shall declare that he received the same from some other Person, or that he was employed as a Carrier, Agent, or Servant to convey the same for some other Person, such Justice is hereby authorized and required to cause every such Person, and also, if necessary, every former or pretended Purchaser, or other Person through whose Possession the same shall have passed, to be brought before him and examined, and to examine Witnesses upon Oath touching the same; and if it shall appear to such Justice that any Person shall have had Possession of such Thing, and had reasonable Cause to believe the same to have been stolen or unlawfully obtained, every such Person shall be deemed guilty of a Misdemeanor, and to have had Possession of such Thing at the Time and Place when and where the same shall have been found or seized, and the Possession of a Carrier, Agent, or Servant shall be deemed to be the Possession of the Person who shall have employed such other Person to convey the same, and shall be liable to a Penalty of not less than Five Pounds, or, in the Discretion of the Justice, may be imprisoned in any Gaol or House of Correction within the Police District, with or without hard Labour, for any Time not exceeding Three Calendar Months.

Justices may order Delivery of stolen Goods.

LVI. And be it enacted, That if any Goods shall be stolen or unlawfully obtained from any Person, or, being lawfully obtained, shall be unlawfully deposited, pawned, pledged, sold, or exchanged, and Complaint shall be made thereof to any of the Divisional Justices, and that such Goods are in the Possession of any Broker, Dealer in Marine Stores, or other Dealer in Second-hand Property, or of any Person who shall have advanced Money upon the Credit of such Goods within the Police District, it shall be lawful for such Justice to issue a Summons or Warrant for the Appearance of such Broker or Dealer, and for the Production of the Goods, and to order such Goods to be delivered up to the Owner thereof, either without any Payment, or upon Payment of such Sum and at such a Time as the Justice shall think fit, and every Broker or Dealer who being so ordered shall refuse or neglect to deliver up the Goods, or who shall dispose of or make away with the same after Notice that such Goods were stolen or unlawfully obtained as aforesaid, shall forfeit to the Owner of the Goods the full Value thereof, to be determined by the Justice: Provided always, that no such Order shall bar any such Broker or Dealer from recovering Possession of such Goods by Suit or Action at Law from the Person into whose Possession they may come by virtue of

the Justice's Order, so that such Action be commenced within Six Calendar Months next after such Orders shall be made.

Power to order Delivery of Possession of Goods charged to have been stolen or fraudulently obtained, and in Custody of Constables.

LVII. And be it enacted, That if any Goods or Money charged to be stolen or fraudulently obtained shall be in the Custody of any Constable by virtue of any Warrant of a Divisional Justice, or in Prosecution of any Charge of Felony or Misdemeanor, in regard to the obtaining thereof, and the Person charged with stealing or obtaining Possession as aforesaid shall not be found, or shall have been summarily convicted or discharged, or shall have been tried and acquitted, or if such Person shall have been tried and found guilty, but the Property so in Custody shall not have been included in any Indictment upon which he shall have been found guilty, it shall be lawful for any Divisional Justice to make an Order for the Delivery of such Goods or Money to the Party who shall appear to be the rightful Owner thereof, or, in case the Owner cannot be ascertained, then to make such Order with respect to such Goods or Money as to such Justice shall seem meet: Provided always, that no such Order shall be any Bar to the Right of any Person or Persons to sue the Party to whom such Goods or Money shall be delivered, and to recover such Goods or Money from him by Action at Law, so that such Action shall be commenced within Six Calendar Months next after such Order shall be made.

Unclaimed stolen Goods delivered to the Receiver of the District may be sold after Twelve Months.

LVIII. And be it enacted, That when any Goods or Money charged to be stolen or unlawfully obtained, and of which the Owner shall be unknown, shall be ordered by any Divisional Justice to be delivered to the Receiver of the Police District, it shall be lawful for the Receiver, after the Expiration of Twelve Calendar Months during which no Owner shall have appeared to claim the same, to sell or dispose of such Goods or Money for the Benefit of the Police Fund of the said District.

Power to award Costs on hearing of Charges.

LIX. And be it enacted, That it shall be lawful for any Divisional Justice who shall hear and determine any Charge or Complaint, whether or not a Warrant or Summons shall have been issued in consequence of such Charge or Complaint, to award such Costs as to him shall seem meet to be paid to or by either of the Parties to the said Charge or Complaint.

Amends may be awarded for frivolous Informations.

LX. And whereas Informations are often laid for the mere Sake of Gain, or by Parties not truly aggrieved, and the Offences charged in such Informations are not further prosecuted, or it appears upon Prosecution that there was no sufficient Ground for making the Charge; be it enacted, That in every Case in which any Information or Complaint of any Offence shall be laid or made before any of the said Divisional Justices, and shall not be further prosecuted, or which, if further prosecuted, it shall appear to the Justice by whom the Case shall be heard that there was no sufficient Ground for making the Charge, the Justice shall have Power to award such Amends, not more than the Sum of Five Pounds, to be paid by the Informer to the Party informed or complained against, for his Loss of Time and Expences in the Matter, as to the Justice shall seem meet.

LXI. And

Penalties on Informers for compounding Informations.

LXI. And be it enacted, That in case any Person shall lodge any Information before any of the said Divisional Justices for any Offence alleged to have been committed by which he was not personally aggrieved, and shall afterwards directly or indirectly receive, without the Permission of One of the said Justices, any Sum of Money or other Rewards for compounding, delaying, or withdrawing the Information, it shall be lawful for any One of the said Justices to issue his Warrant or Summons, as he may deem best, for bringing before him the Party charged with the Offence of such compounding, Delay, or Withdrawal; and if such Offence be proved by the Confession of the Party, or by the Oath of any credible Witness, such Informer shall be liable to a Penalty not more than Ten Pounds.

Power to lessen the Shares of Informers.

LXII. And whereas by divers Acts the Moiety or other fixed Portion of the Penalties to be thereby recovered is directed to be adjudged to the Informer, and the same has been found to encourage the corrupt Practices of common Informers; for Prevention thereof be it enacted, That where by any Act now in force or hereafter to be passed a Moiety or other fixed Portion of the Penalty or Penalties thereby imposed is or shall be directed to be paid to the Informer, not being the Party aggrieved, it shall be lawful for any One of the said Divisional Justices before whom the Conviction shall be had to adjudge that no Part, or such Part only of the Penalty as he shall think fit, shall be paid to the Informer.

Power to mitigate Penalties.

LXIII. And whereas by divers Acts certain limited Penalties or Terms of Imprisonment are imposed for Offences therein mentioned, and sufficient Power is not given to the Justice or Justices before whom the Offender is convicted to reduce or lessen such Penalty or Term of Imprisonment, whereby much Hardship is experienced; be it enacted, That where by any Act now in force or hereafter to be passed a limited Penalty or Term of Imprisonment is imposed on Conviction of an Offender before a Justice or Justices of the Peace, it shall be lawful for any One of the said Divisional Justices before whom such Conviction shall be had to reduce or lessen such Penalty or Term of Imprisonment, in such Manner as he may think fit: Provided always, that no Penalty for the Infringement of any Act relating to the Revenue of Customs or Excise, Stamps or Taxes, shall be reduced by any such Justice below the Amount or Proportion allowed in that Behalf by the Act or Acts specially relating thereunto, without the Consent of the Commissioners of Customs or Excise, or Stamps and Taxes, respectively.

Proviso as to Revenue Acts.

Power to remand or enlarge Prisoners on Recognizances.

LXIV. And be it enacted, That any One of the Divisional Justices, if he shall think fit, may remand any Person for further Examination, or may suffer to go at large any Person who shall be charged before him with any Felony or Misdemeanor, upon his Personal Recognizance (with or without Sureties); and every such Recognizance shall be conditioned for the Appearance of such Person before the same or some other of the said Justices for further Examination, or to surrender himself to take his Trial before such Court, and at such Day and Place as shall be therein mentioned; and the Justice shall be at liberty, from Time to Time, to enlarge every such Recognizance

Recognizance to such further Time as he shall appoint; and every such Recognizance which shall not be enlarged shall be discharged, without Fee or Reward, when the Party shall have appeared according to the Condition thereof: Provided always, that whenever any Justices shall take the Recognizance of any Person to appear and take his Trial before any Court of Criminal Jurisdiction, the Justice shall be bound to return the Depositions taken in the Case, and to bind over the Witnesses to appear and give Evidence, in like Manner as if he had committed the Party to take his Trial at such Court.

Disputes between Watermen and others to be settled by Divisional Justices.

LXV. And be it enacted, That all Differences, Complaints, and Disputes which shall happen between any Bargemen, Lightermen, Watermen, Ballastmen, Coal Whippers, Coal Porters, Sailors, Lumpers, Riggers, Shipwrights, Caulkers, or other Labourers who work for Hire in or upon the River *Liffey* or Harbour of *Kingstown*, or the Docks, Creeks, Wharfs, Quays, or Places adjacent, and the Owners, Masters, or Commanders of Vessels, or their Agents, on the said River or Harbour, or the Docks or Creeks thereunto adjoining, or the Owners, Wharfingers, or Occupiers of such Wharfs or Quays, or their Agents or other Employers, respecting Wages or Money due to such Labourers for Work or Loss of Time, whether the same Persons be employed for any certain Time or in any other Manner, may be heard and determined by any of the said Divisional Justices; and every such Justice is hereby empowered to examine upon Oath any such Labourer as aforesaid, or any other Witness or Witnesses, touching any such Complaint or Dispute, and to make such Order for Payment of so much Wages or Money to such Labourer as to the Justice shall seem just, provided that the Sum ordered do not exceed Five Pounds, besides all reasonable Costs attending the Prosecution of the Complaint.

Power to order Compensation for wilful Damage by Tenants.

LXVI. And be it enacted, That every Person who shall occupy or shall have occupied any House or Lodging within the Police District as Tenant thereof, and who shall wilfully or maliciously do any Damage to the Premises, or to any Furniture thereof, not being the Property of such Tenant or Occupier, shall, upon Complaint made to One of the said Divisional Justices within One Calendar Month next after the Commission of the Offence, or the End of the Tenantry or Occupation, forfeit and pay such Sum of Money as shall appear to the Justice to be a reasonable Compensation for the Damage done, not more than the Sum of Fifteen Pounds, to be paid to the Landlord or Party aggrieved.

Power to deal summarily with Cases of oppressive Distress.

LXVII. And be it enacted, That on Complaint made to any of the said Divisional Justices by any Person who shall within the Police District have occupied any House or Lodging by the Week or Month, or whereof the Rent does not exceed the Rate of Fifteen Pounds by the Year, that his Goods have been taken from him by an unlawful Distress, or that the Landlord, or his Broker or Agent, has been guilty of any Irregularity or Excess in respect of such Distress, it shall be lawful for such Justice to summon the Party complained against; and if upon the Hearing of the Matter it shall

appear to the Justice that such Distress was improperly taken or unfairly disposed of, or that the Charges made by the Party having distrained, or having attempted to distrain, are contrary to Law, or that the Proceeds of the Sale of such Distress have not been duly accounted for to the Owner thereof, it shall be lawful for the Justice to order the Distress so taken, if not sold, to be returned to the Tenant, on Payment of the Rent which shall appear to be due, at such Time as the Justice shall appoint, or if the Distress shall have been sold, then to order Payment to the said Tenant of the Value thereof, deducting thereout the Rent which shall so appear to be due, such Value to be determined by the Justice; and such Landlord or Party complained against, in default of Compliance with any such Order, shall forfeit to the Party aggrieved the Value of such Distress, not being greater than Fifteen Pounds, such Value to be determined by the Justice.

Power to order Delivery of Goods unlawfully detained to the Owner.

LXVIII. And be it enacted, That upon Complaint made to any of the said Divisional Justices by any Person claiming to be entitled to the Property or Possession of any Goods which are detained by any other Person within the Limits of the Police District, the Value of which shall not be greater than Fifteen Pounds, and not being Deeds, Muniments, or Papers relating to any Property of greater Value than Fifteen Pounds, it shall be lawful for such Justice to summon the Person complained of, and to inquire into the Title thereto or to the Possession thereof; and if it shall appear to the Justice that such Goods have been detained without just Cause, after due Notice of the Claim made by the Person complaining, or that the Person detaining such Goods has a Lien or Right to detain the same by way of Security for the Payment of Money, or the Performance of any Act by the Owner thereof, it shall be lawful for such Justice to order the Goods to be delivered to the Owner thereof, either absolutely or upon Tender of the Amount appearing to be due by such Owner (which Amount the Justice is hereby authorized to determine), or upon Performance, or upon Tender and Refusal of the Performance, of the Act for the Performance whereof such Goods are detained as Security, or if such Act cannot be performed, then upon Tender of Amends for Nonperformance thereof (the Nature or Amount of which Amends the Justice is hereby authorized to determine); and every Person who shall neglect or refuse to deliver up the Goods according to such Order shall forfeit to the Party aggrieved the full Value of such Goods, not greater than the Sum of Fifteen Pounds, such Value to be determined by the Justice: Provided always, that no such Order shall bar any Person from recovering Possession of the Goods or Money so delivered or forfeited, by Suit or Action at Law, from the Person to whose Possession such Goods or Money shall come by virtue of such Order, so that such Action be commenced within Six Calendar Months next after such Order shall be made.

Fees.

LXIX. And be it enacted, That such Fees as are contained in the Schedule (A.) to this Act annexed, and no other or greater Fees, may be taken for any Business done or Proceedings had before or by any of the said Justices, or by any Justice or Justices

acting in any Police Office within the said Police District, and a Table of such Fees shall be fixed in some conspicuous Part of each of the said Offices, and it shall be lawful for any of the said Justices to refuse to do any Act for which any Fee shall be demandable unless such Fee shall be first paid; and that if any such Act shall be done, and the Fee due thereon shall not be paid, it shall be lawful for any of the said Justices to summon the Person from whom such Fee shall be due, and to make Order for Payment of the same, with the Costs of the Proceedings, and in default of Payment to levy the same, with the Costs of the Distress, by Warrant under his Hand.

Proceedings on Information before Justices.

LXX. And be it enacted, That all Offences committed within the Limits of the Police District which, under this or any other Act, are punishable on summary Conviction before a Justice or Justices of the Peace, may be heard and determined by any One or more of the said Divisional Justices sitting at One of the Divisional Offices, or at any Place within such District where any such Justice may be directed to attend, by Warrant of the Chief or Under Secretary, as herein-before provided, in a summary Way, within Six Calendar Months at the farthest next after the Commission of such Offence, or within such shorter Time as shall be limited by the Act specifying the Offence, and not afterwards, whether or not any Information in Writing shall have been exhibited or taken by or before such Justices, and all such Proceedings by Summons, without Information in Writing, shall be as valid and effectual as if an Information in Writing had been first exhibited in that Behalf: Provided always, that a Note or Memorandum in Writing, according to a Form to be approved by the Chief or Under Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall be made and kept in the Office, of the Substance of every Charge for which a Summons or Warrant shall be issued: Provided also, that the Justice, if he shall think fit, may require an Information in Writing to be laid, in every Case in which it shall seem to him to be expedient, before the Matter of the Complaint or Charge shall be brought before him; and the Justice shall examine into the Matter of every Complaint or Charge brought before him, and if upon the Confession of the Party accused, or on the Oath of any One or more Witnesses, the Party accused shall be convicted of having committed the Offence charged or complained of, the Party so convicted shall pay such Penalty as to the Justice shall seem fit, not more than the greatest Penalty made payable in respect of such Offence, together with the Costs of Conviction, to be ascertained by such Justice.

Recovery of Penalties and Forfeitures.

LXXI. And be it enacted, That all Penalties, Forfeitures, and other Sums of Money imposed, awarded, or ordered to be paid by any of the said Divisional Justices under the Authority of this or any other Act of Parliament, and all Sums of Money which any Person is bound to pay under any Recognizance taken before a Justice, and afterwards forfeited, in case of Nonpayment thereof, may be levied, with the Costs of such Proceedings on Nonpayment, by Distress and Sale

Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand of such Justice; and the Overplus (if any) of the Money so raised or recovered, after discharging, with Costs, the Penalty, Forfeiture, or Sum ordered to be paid, shall be returned, on Demand, to the Party whose Goods and Chattels shall have been distrained; and in case any such Penalty, Forfeiture, or Sum of Money shall not be forthwith paid, it shall be lawful for such Justice to order the Party to be detained in safe Custody until the Return can be conveniently made to such Warrant of Distress, unless such Party shall give Security, to the Satisfaction of the Justice, for his Appearance at such Place and Time, not being more than Seven Days from the Time of such Detention, as shall be appointed for the Return of the Warrant of Distress, and the Justice is hereby empowered to take such Security by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no such sufficient Distress could be had whereupon to levy the said Penalty, Forfeiture, or Sum of Money, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of the Justice, upon the Confession of the Party or otherwise, that he has not sufficient Goods and Chattels whereupon such Penalty, Forfeiture, or Sum of Money could be levied if a Warrant of Distress should be issued, it shall be lawful for the Justice, by Warrant under his Hand, to commit such Party to some Gaol or House of Correction within the Police District, there to remain for any Time not more than Two Calendar Months where the Sum to be paid shall not exceed Five Pounds, and not more than Three Calendar Months in any Case, the Imprisonment to cease on Payment of the Sum due.

Forms of Information and Conviction.

LXXII. And be it enacted, That any Divisional Justice before whom any Information shall be laid in Writing against any Person, or before whom any Person shall be convicted in respect of any Offence under this or any other Act of Parliament, may cause the Information, Summons, and the Conviction to be drawn up according to the Forms respectively given in Schedule (B.) to this Act annexed, or any other Forms to the same Effect, as the Case may require: Provided always, that this Enactment shall not invalidate any Information, Summons, or Conviction laid or drawn in any other Form which may be more specially suited to the Case, or may be provided by Law, and in any Information in Writing, and in every Conviction for an Offence contrary to any Statute or Statutes, it shall be sufficient if the Offence shall be stated in the Words of the Statute declaring the Offence or attaching any Penalty thereunto.

In case of Death or Absence of Divisional Justice.

LXXIII. And be it enacted, That if any One or more of the Divisional Justices of the Police District aforesaid, before whom any Information shall be exhibited, or other Proceeding shall be had or taken, or prosecuted or continued, shall die or be absent pending such Information or Proceeding, or before the same shall be finally disposed of, it shall and may be lawful for any other or others of the said Divisional Justices to entertain, hear, determine, and dispose of such Information and Proceeding, and to do all Acts in relation thereto, in like Manner, and with the like Powers and Authority, for all

all Intents and Purposes, as if such Information had been originally exhibited or Proceeding had or taken before such last-mentioned Justice or Justices respectively.

Plaintiff not to recover after Tender or Amends.

LXXIV. And be it enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in the Execution of this Act, or in, under, or by virtue of any Power or Authority hereby given, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceeding, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Limitation of Actions.

LXXV. And be it enacted, That no Action, Suit, or Information, or other Proceeding, of what Nature soever, shall be brought, commenced, or prosecuted against any Person for any Thing or Matter omitted to be done in pursuance of this Act, or in the Execution of any Power or Authority under this Act, unless Twenty Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action, Suit, Information, or other Proceeding, to the intended Defendant, nor unless such Action, Suit, Information, or other Proceeding shall be brought or commenced within Three Calendar Months next after the Act committed, or in case there shall be a Continuation of Damage, then within Three Calendar Months next after the doing or committing such Damage shall have ceased, or unless such Action, Suit, or Information shall be laid or brought in the County or the County of the City of *Dublin*; and if the Plaintiff shall become nonsuited, or shall suffer a Discontinuance of his Action, Suit, Information, or other Proceeding, after the Defendant shall have appeared thereto, or if a Verdict shall pass against the Plaintiff thereon, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall have his Costs as between Attorney and Client, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in other Cases.

So much of 3 & 4 W. 4. c. 68., 6 & 7 W. 4. c. 38., and 2 & 3 Vict. c. 79, as requires Service of Notice on Persons informed against, repealed.

LXXVI. And whereas an Act was passed in the Session of Parliament holden in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to amend the Laws relating to the Sale of Wine, Spirits, Beer, and Cider by Retail, in* Ireland, and another Act was passed in the Session of Parliament, holden in the Sixth and Seventh Years of the same Reign, amending the said Act, and another Act was passed in the Session of Parliament holden in the Second and Third Years of the Reign of Her present Majesty, intituled *An Act for the better Prevention of the Sale of Spirits by unlicensed Persons in* Ireland: And whereas under the Provisions of the said recited Acts it is necessary that, after an Information has been exhibited for any Offence, or for the Recovery

of any Penalty or Forfeiture under the said recited Acts or any of them, a Notice in Writing of such Information having been so exhibited shall, within One Week after the Exhibition thereof, be given to the Person or Persons against whom the same shall have been so exhibited: And whereas such Notice is unnecessary, inasmuch as the Contents of such Information are sufficiently notified to the Party against whom the same is exhibited by the Summons directed by the said Acts to be served upon such Party; be it therefore enacted, That so much of the said recited Acts or any of them as requires the Service of such Notice upon any Person or Persons against whom any Information has been or shall be exhibited for any Offence, or for the Recovery of any Penalty or Forfeiture, under the said recited Acts or any of them, or under any Act or Acts amending the same, shall be and the same is hereby repealed.

One Commissioner of Police may act.

LXXVII. And be it enacted, That all Things herein authorized to be done by the Commissioners of Police may be done by either of them.

Act not to affect, except in certain Cases, Proceedings in Informations under Revenue or Stamp Acts.

LXXVIII. Provided always, and be it enacted, That nothing in this Act contained, except the Provision empowering any One of the said Divisional Justices to hear and determine Offences now punishable on summary Conviction by or before Two or more Justices of the Peace, shall extend or be deemed or construed to extend to affect or alter any Proceedings before Justices of the Peace for the Recovery or Condemnation of any Penalties or Forfeitures incurred under any Act or Acts relating to the Revenue of Customs or Excise, or Stamps, or to any Act, Matter, or Thing done by any Officer of Customs or Excise, or Stamps, but that all such Penalties and Forfeitures shall, except as aforesaid, be sued for, recovered, mitigated, and applied under the Enactments and Provisions of the several Acts relating to the said Revenues respectively.

Interpretation Clause.

LXXIX. And be it enacted, That in the Construction of this Act, unless there be something in the Context repugnant thereto, the Expression "Police District" shall be understood to signify the Police District of *Dublin* Metropolis; and the Expression "Commissioners of Police" shall be understood to signify the Justices of the Peace for the Police District of *Dublin* Metropolis appointed under the Authority of the herein-before recited Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty, and the Acts amending the same; and the Expressions "Divisional Justice" or "Divisional Justices" shall be understood to signify a Divisional Justice or Divisional Justices of the Police District of *Dublin* Metropolis; and that any Word denoting the Singular Number in the Male Sex shall be taken to extend to any Number of Persons or Things and to both Sexes.

Act may be amended.

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

SCHE-

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

TABLE of FEES receivable at the several Police Offices in the Police District of DUBLIN METROPOLIS.

	£	s.	d.
Summons and Copy (including Copy of Information when served with Summons) - - - - -	0	1	0
Warrant - - - - - -	0	1	0
Recognizance - - - - - -	0	2	6
Conviction - - - - - -	0	2	6
Engrossing Information in Assaults, Trespasses, and all Misdemeanors - - - - -	0	1	0
Appeal to Quarter Sessions - - - -	0	2	6
Supersedeas - - - - - -	0	1	0

SCHEDULE (B.)

No. 1.—FORM of INFORMATION.

Police District of Dublin Metropolis to wit. } *A. B.* of cometh before me, One of the Divisional Justices of the said District, on the Day of in the Year of our Lord at within the said District, and giveth me to understand and be informed that *C. D.* of did, *&c.* [*here describe the Offence*].

(Signed)

No. 2.—FORM of SUMMONS to be used when a Copy of the Information is not served upon the Party charged.

Police District of Dublin Metropolis to wit. } To *C. D. F.* of . You are hereby required personally to appear before any of the Divisional Justices of the said District who shall be present at in the said District on the Day of One thousand eight hundred and at the Hour of in the noon of the same Day, to answer the Complaint of *A. B.* of charging that you did, *&c.* [*here set forth the Offence charged in the Information*].

Dated this Day of

(Signed)

One of the Divisional Justices of the said District.

No. 3.—FORM OF SUMMONS to be used when a Copy of the Information is served upon the Party charged.

Police District of Dublin Metropolis to wit. } To *C.D.* of . You are hereby required personally to appear before any of the Divisional Justices of the said District who shall be present at in the said District on the Day of One thousand eight hundred and at the Hour of in the noon of the same Day, to answer the Complaint set forth in the Information, with a Copy of which you are herewith furnished.

Dated this Day of

(Signed)

One of the Divisional Justices of the said District.

No. 4.—FORM OF CONVICTION.

Police District of Dublin Metropolis to wit. } BE it remembered, That on the Day of in the Year of our Lord before me, One of the Divisional Justices of the said District, sitting at in the said District, *C.D.* of is convicted that he did, *&c.* [*here state the Offence*]. I do therefore adjudge that the said *C.D.* [*here state the Adjudication.*] Given under my Hand the Day and Year first above written.

(Signed)

J. P.

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