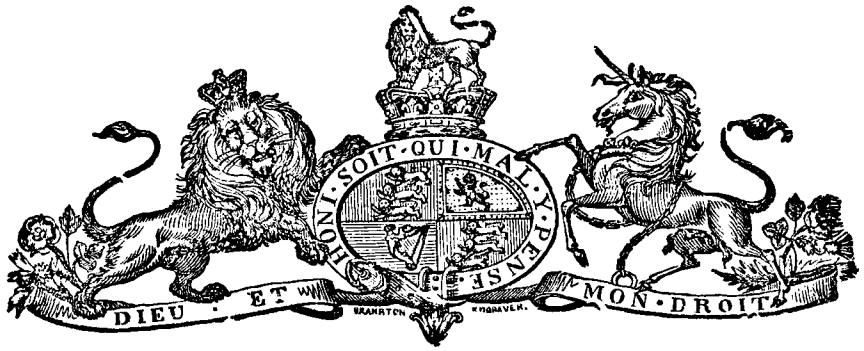


ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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CAP. XLVII.

An Act for the Protection and Relief of the destitute Poor evicted from their Dwellings in *Ireland*. [14th *August* 1848.]

WHEREAS it is expedient to regulate the Time of executing Process for taking possession of Land, and to provide for the better Relief of the destitute Poor evicted from their Dwellings in *Ireland:* 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 from and after the passing of this Act no Writ of Habere facias possessionem, Decree, Order, or other Process for the delivering up or taking possession of Land in *Ireland*, shall be executed on any *Christmas Day* or *Good Friday*, nor on any Day within the Time after the Commencement of Two Hours next before Sunset, and before Sunrise, or Six o'Clock in the Morning, whichever shall be latest.

After passing of Act no Writ, &c. for taking possession of Land in Ireland shall be executed on the Days or within the Times herein mentioned.

II. And be it enacted, That not less than Forty-eight Hours before any such Writ, Decree, Order, or Process as aforesaid for delivering up or taking possession of Land on which there shall be any inhabited Dwelling House, or Building used as a Dwelling House, shall be executed in any County in *Ireland*, the Landowner or other Person by

Notice of Execution of Writ to be given by Landowner, &c. to the Re-

lieving Officer of the Electoral Division in which the same shall be situate.

by whom or on whose Behalf such Writ, Decree, Order, or other Process as aforesaid shall have been sued out, or his Agent, shall give Notice in Writing to the Relieving Officer of the Electoral Division in which such Land shall be situate, and such Notice shall set forth the Parish or Barony, Electoral Division, and Townland in which the Land of which Possession is so to be delivered up or taken is situate.

Notice how to be given.

III. And be it enacted, That every Notice to be given to any Relieving Officer under this Act shall be given by delivering the same to such Relieving Officer, or by leaving the same, directed to such Relieving Officer, at his Dwelling House or Office, or by Letter sent by the Post directed to the Relieving Officer at such Dwelling House or Office; and in case the same shall be so sent by the Post, such Notice shall be delivered directed, open and in Duplicate, to the Postmaster of any Post Office, and the Postmaster shall compare the Notice and the Duplicate, and on being satisfied that they are alike shall forward one of them to its Address by the Post, and shall return the other to the Party bringing the same, stamped with the Stamp of the said Post Office; and such Postmaster shall be entitled to have and receive from the Person delivering such Letter the Rate of Postage payable for the same, and the Sum of Sixpence, and no more; and such stamped Duplicate shall be Evidence of the Notice having been given on the Day on which such Notice would in the ordinary Course of Post have been delivered at such Dwelling House or Office of the Relieving Officer.

Persons becoming destitute by being dispossessed may apply to Relieving Officer, who shall provide Shelter, &c.

IV. And be it enacted, That it shall be lawful for Persons who shall become destitute by reason of their being dispossessed or removed of or from any Dwelling House, or other Building used as a Dwelling House, by or under such Writ, Decree, Order, or other Process as aforesaid, to apply for Relief to the Relieving Officer of the Electoral Division in which the said Land or House shall be situate, and such Relieving Officer shall, on the Receipt of such Application, take Order for providing Shelter for any such Applicants, being destitute Persons, by an Order of Admission into the Workhouse of the Union, if there be Room therein, by conveying any such destitute poor Person thereto, if necessary, or by affording such destitute poor Persons temporary Relief in Food, Lodging, Medicine, or Medical Attendance until the next ordinary Meeting of the Board of Guardians, at which Meeting he shall report the Case and the Nature and Cost of the Relief so afforded, in such Form and Manner as the Poor Law Commissioners shall prescribe, and after such Report shall give no further Relief otherwise than by Direction of the Board of Guardians in the Case so reported, and the Guardians shall furnish the Relieving Officer with Funds for affording such Relief, in the same Manner and subject to the same Rules and Conditions as are or may be provided for all other Relief granted by the Relieving Officer under and by virtue of an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act to make further Provision for the Relief of the destitute Poor in* Ireland; and it shall be lawful for such Guardians, if they shall think fit, to provide every such destitute poor Person with Relief to the same Extent as destitute poor Persons permanently disabled from

10 Vict. c. 31. s. 8.

from Labour by reason of old Age, Infirmity, or bodily or mental Defect, are by Law entitled to Relief in *Ireland*: Provided always, that it shall not be lawful for the Guardians to relieve such destitute poor Persons after the Period of One Calendar Month from the Date of such temporary Relief as aforesaid being afforded, except in the Manner by which such poor Persons could be relieved under the Acts now in force for the Relief of the destitute Poor in *Ireland*.

Relief not to be given after One Month, except under Acts for Relief of destitute Poor.

V. And be it enacted, That in case there shall be upon any Land of which Possession is to be delivered up or taken under such Writ, Decree, Order, or Process as aforesaid, any inhabited Dwelling House, or Building used as a Dwelling House, the Occupier of which shall not have received Notice as a Tenant for the Determination of his Tenancy, or shall not have been served with Notice of the Action, Civil Bill, or other Proceeding in which such Writ, Decree, Order, or Process shall have been sued out, such Occupier of every such inhabited Dwelling House or Building as aforesaid shall be served with Notice in Writing of the Intention to execute such Writ, Decree, Order, or Process, not less than Seven Days before the same shall be executed, and such Notice may be served by delivering the same to such Occupier, or by leaving such Notice at such Dwelling House or other Building, or affixing the same to some conspicuous Part of such Dwelling House or other Building: Provided always, that it shall not be necessary to name in such Notice as aforesaid the Occupier to or for whom such Notice shall be delivered, left, or affixed, or to serve any such Notice on any Occupier who shall have become such Occupier less than Twenty-one Days before the Execution of such Writ, Decree, Order, or other Process.

Notice to be given where an Occupier of a Dwelling House has not had Notice in the Action, &c.

VI. And be it enacted, That in case the Landlord or other Person by whom or on whose Behalf such Writ, Decree, Order, or other Process shall have been sued out shall neglect or omit to serve the Notice required by this Act to be served on the Relieving Officer, he shall forfeit and pay the Sum of Twenty Pounds to the Guardians of the Union in which the Land shall be situate; and such Sum may be recovered by Civil Bill or otherwise, and shall be applied in aid of the Rates of the Electoral Division in which such Land shall be situate, and, in case such Landlord or other Person shall be resident out of *Ireland*, may be recovered from him by Action at Law; and the Service of Process in such Action on the Attorney or Agent by whom such Writ, Decree, Order, or other Process may have been sued out shall be good Service on such Landlord or other Person as aforesaid.

Penalty on executing Writ without Notice.

VII. And be it enacted, That whosoever, with Intent to dispossess any Person actually dwelling in a House or other Building used as a Dwelling House (whether such Person shall be so dwelling under a continuing Tenancy or holding over after the Expiration thereof, or otherwise), shall, except so far as may be necessary to enable the Sheriff or his Officer to effect an Entrance thereto, pull down, demolish, or unroof, in whole or in part, or cause to be pulled down, demolished, or unroofed, in whole or in part, such Dwelling House or Building used as a Dwelling House, whilst such Person or

The unroofing, &c. of Dwellings for the Purpose of expelling the Occupier a Misdemeanor.

or any of his Family shall be actually within the same, shall be guilty of a Misdemeanor.

Provisions of Act to apply to Estates and Possessions of the Crown in Ireland, &c.

VIII. And be it enacted, That all the Provisions in this Act contained shall apply and shall be construed to apply to all the Estates and Possessions of the Crown in *Ireland*, and to all Proceedings taken on behalf of Her Majesty, under the Authority of the Lords Commissioners of the Treasury, or the Commissioners of Woods and Forests, or the Clerk of the Quit Rents, for recovering the Possession of any Part of such Crown Estates, whether by Writ of Intrusion, Ejectment, or otherwise, in as full and ample a Manner and subject to all the Enactments herein contained and made applicable in respect to all private Parties recovering the Possession or proceeding to recover the Possession of other Lands not being the Property of the Crown.

Interpretation of Act.

IX. And be it enacted, That in the Construction of this Act, where the Subject or Construction shall not be repugnant, Words importing the Singular Number shall extend to and include the Plural, and Words importing the Masculine Gender shall include Females as well as Males.

Act may be amended, &c.

X. And be it enacted, That this Act may be amended or repealed in the present Session of Parliament.

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