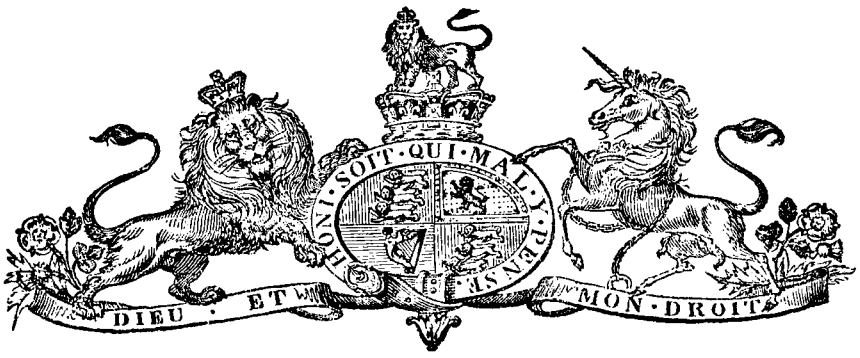



ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

# VICTORIÆ REGINÆ.

**********************************************************

## CAP. LIX.

## An Act to amend the Law relating to Reformatory Schools in *Ireland*. [16th *July* 1868.]

BE it 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, as follows:

*Preliminary.*

Short Title.

**1.** This Act may be cited as The *Irish* Reformatory Schools Act, 1868.

To apply to Ireland only.

**2.** This Act shall extend to *Ireland* only.

Definition of Terms.

**3.** "Managers" shall include any Person or Persons having the Management or Control of any School to which this Act applies:

"Justice" shall mean a Justice of the Peace having Jurisdiction in the Place where the Matter requiring the Cognizance of a Justice arises:

"Justices" shall mean Two or more Justices in Petty Sessions, or a Police or Stipendiary Magistrate or other Justice having by Law Authority to act alone for any Purpose with the Power of Two Justices.



**4.** It

Mode of certifying Reformatory Schools.

**4.** It shall and may be lawful for the Chief Secretary of the Lord Lieutenant of *Ireland*, upon Application made to him by the Directors or Managers of any such Institution, to direct One of Her Majesty's Directors of Convict Prisons in *Ireland*, or One of Her Majesty's Inspectors General of Prisons in *Ireland*, who shall be styled Inspector of Reformatory Schools in *Ireland*, or such special Inspector of Reformatories as may be hereafter appointed by the Lord Lieutenant of *Ireland*, who is hereby authorized and empowered to appoint a fit and proper Person to be Inspector of Reformatory Schools in *Ireland*, who shall be styled Inspector of Reformatory Schools in *Ireland*, to examine and report to him upon its Condition and Regulations; and any such Institution as shall appear to the Satisfaction of the said Chief Secretary, and shall be certified under his Hand and Seal to be useful and efficient for its Purpose, shall be held to be a Reformatory School under the Provisions of this Act: Provided always, that it shall be lawful for any of Her Majesty's Inspectors of Reformatories as aforesaid to visit from Time to Time any Reformatory School which shall have been so certified as aforesaid; and if upon the Report of the Inspector the said Chief Secretary for the Time being shall think proper to withdraw his said Certificate, and shall notify such Withdrawal under his Hand to the Managers of the said Institution, the same shall forthwith cease to be a Reformatory School within the Meaning of this Act; and annual Reports of the Inspector as touching the Reformatory Schools under this Act shall be annually laid before both Houses of Parliament, accompanied by Accounts showing the Receipts and Expenditure of each such School, and the Certificates granted and withdrawn.

When Reformatory School is certified by Lord Lieutenant, Notice to be published in the Dublin Gazette.

**5.** Whenever the Chief Secretary shall at any Time grant a Certificate under this Act to any Reformatory School, he shall within One Calendar Month cause a Notice thereof to be published in the *Dublin Gazette*, and such Publication shall be a sufficient Evidence of the Fact of such Reformatory School having been certified to justify the Judge or the Justices before whom any such Juvenile Offender shall have been convicted to commit such Juvenile Offender thereto, subject to the Provisions of this Act; and whenever the Chief Secretary shall withdraw the Certificate granted to any Reformatory School, he shall within One Calendar Month give Notice of such Withdrawal in the said Gazette.

Power to appoint Assistant to Inspector.

**6.** The Lord Lieutenant may from Time to Time appoint a fit Person to assist the Inspector of Reformatory Schools, and every Person so appointed shall have such of the Powers and Duties of the Inspector as the Chief Secretary from Time to Time prescribes, but shall act under the Direction of the Inspector.

**7.** When

Disposal of Inmates on Withdrawal or Resignation of Certificate.

**7.** When the Withdrawal of the Certificate of a Reformatory School takes effect, the youthful Offenders detained therein shall be, by the Order of the Chief Secretary, either discharged or transferred to some other Certified Reformatory School.

Power to Grand Jury of a County or Council of a Borough to grant Money in aid of Maintenance of Offenders in Reformatory Schools.

**8.** It shall be lawful for the Grand Jury of any County, County of a City, or County of a Town, if they shall think fit, at any Assizes, and for the Town Councils of the Boroughs of *Dublin*, *Cork*, and *Limerick*, upon the Application of the Directors or Managers of any Reformatory School for youthful Offenders which has been or which may hereafter be certified under this Act, supported in whole or in part by voluntary Contributions in such County or Borough respectively, to present a Sum of Money in aid of the Maintenance of such Offenders from such County or Borough respectively, sentenced to or detained in such Reformatory School, to be raised off the said County or Borough, subject to such Conditions as may be agreed upon between such Grand Jury or Council and such Directors, Managers, or Promoters.

No Money to be granted to Schools unless certified by Chief Secretary.

**9.** Provided that no Money shall be presented or ordered to be raised as aforesaid under this Act in aid of any Reformatory School unless the Institution has been certified by the Chief Secretary as aforesaid, nor shall any Money be paid under any such Presentment or Order in aid of any School which shall have been so certified in case such Certificate shall have been withdrawn.

Grand Jury or Council may contract with the Managers for the Reception of Offenders from their County or Borough.

**10.** It shall be lawful for the Grand Jury of any County, County of a City, or County of a Town, and for the Council of such Borough as aforesaid, at a Special Meeting of such Council called for the Purpose, to appoint and empower a Committee of such Grand Jury or Council to enter into an Agreement with the Directors or Managers of any Reformatory School certified as aforesaid for the Reception and keeping in such School from Time to Time of Offenders from such County or Borough sentenced to be detained in a Reformatory School, in consideration of such periodical Payments as may be agreed upon with such Managers or Directors; and such Grand Jury or Council shall present the Payments of the Money which may from Time to Time become payable under such Agreement, without any previous Application to a Presentment Sessions.

Monies granted under this Act, how to be raised.

**11.** All Monies presented to be raised and paid for the Reception and keeping of such Offenders in such School shall be presented and raised in the same Manner in all respects and subject to the same Conditions as Money to be presented and raised by the Grand Jury of any such County or by the Council of such Borough

as

as aforesaid respectively for defraying the ordinary current Expenditure of their several Gaols.

Juvenile Offenders, how to be dealt with.

**12.** Whenever after the passing of this Act any Person shall be convicted of any Offence punishable with Penal Servitude or Imprisonment before any Judge of Assize or Judges sitting under a Commission of Oyer and Terminer, or before any Court of Quarter Sessions, or before the Divisional Justices of the *Dublin* Metropolitan Police District, or before any Justice or Justices of the Peace at Petty Sessions, whose Age shall not, in the Opinion of such Judge or Court, exceed the Age of Sixteen Years, then and in every such Case it shall be lawful for the Judge or Court, or the Divisional Justices, or the Justices at Petty Sessions as aforesaid, before or by whom such Offender shall be so convicted, in addition to the Sentence then and there passed as a Punishment for his or her Offence, to direct such Offender to be sent, at the Expiration of such Sentence, to some One of the aforesaid Reformatory Schools the Directors or Managers of which shall be willing to receive such Offender, and to be there detained for a Period not less than Two Years and not exceeding Five Years and such Offender shall be liable to be detained pursuant to such Direction: Provided always, that no Offender shall be directed to be so sent and detained as aforesaid unless the Sentence passed as a Punishment for his Offence at the Expiration of which he is directed to be so sent and detained shall be one of Imprisonment for Fourteen Days at the least; and provided also, that no such Offender shall be liable or directed to be sent to any such Reformatory, except to some one Reformatory under the exclusive Management of Persons of the same Religious Persuasion as that professed by the Parents or Guardians of such Juvenile Offender; and in all Cases in which the Religion of the Parents or Guardians of such Juvenile Offender is unknown, the said Juvenile Offender shall be considered as belonging to that Religious Persuasion in which he or she shall appear to have been baptized, or of which he or she shall profess to be a Follower: Provided also, that in case the Court which shall order such Offender to be so sent and detained as aforesaid shall think it right to sentence such Offender to a previous Term of Imprisonment to which such Offender shall have been sentenced as a Punishment for his or her Offence, such Term of Imprisonment shall be directed to be carried out and spent, as far as is practicable, in strict Separation: Provided also, that the Chief Secretary may at any Time order any such Offender to be discharged from any such School: Provided also, that whenever any Order shall be made under this Act by any Divisional Justice, or by any Justices of Petty Sessions, for sending any Juvenile Offender to any Reformatory School, it shall and may be lawful for such Juvenile Offender,

Juvenile Offenders to be sent only to Schools managed by Persons of same Religious Belief as Parents of such Juveniles.

or

or any Parent or Guardian of him or her, to appeal against any such Order, in case same be made by any Divisional Justice, to the Recorder of the City of *Dublin* at his next Sessions, and in case such Order be made by any Justices at Petty Sessions, to the next Quarter Sessions of the Division within which the Petty Sessions at which such Order shall be made shall be situate, but in case there shall not be Fifteen clear Days between the making of the Order and the next Sessions of the said Recorder or the next Quarter Sessions of such Division as aforesaid, then to the next following Sessions of the said Recorder, or the next following Quarter Sessions of such Division as aforesaid; and every such Appellant shall give or cause to be given to the Divisional Justice whose Order is appealed from, or to the Clerk of the Petty Sessions at which the Order appealed from has been made, Notice in Writing of his Intention to appeal at least Seven Days before the Commencement of the Sessions or Quarter Sessions to which such Appeal shall be made; and whenever any such Appeal shall have been so made, and such last-mentioned Notice shall have been duly given, it shall be lawful for the Recorder, or for the said Court of Quarter Sessions, as the Case may be, to entertain the same, and to confirm, reverse, or vary the Order complained of, or to order that such Juvenile Offender shall be sent to some other Reformatory School established under this Act, and such Appeal shall not be dismissed upon any Point of Form.

School to which Offender committed need not be named in the Sentence.

**13.** It shall not be necessary, at the Time of passing Sentence, for any such Judge or Court to name the particular School to which such Offender is to be sent, but it shall be sufficient for such Judge or Court to direct that such Offender be sent to such School (being a School duly certified under the Act, and the Directors or Managers of which may be willing to receive him,) as may thereafter, and before the Expiration of the Term of Imprisonment to which such Offender has been sentenced, be directed by One of the Judges or by the Justices of the Court before whom such Offender shall be so convicted.

Supplemental Orders may be made.

**14.** Any such Court, having made an Order under the Authority of this Act for sending any Offender to any Reformatory, may make a supplemental Order, if the Court shall so think fit, at any Time thereafter, and before the Expiration of the Term of Imprisonment to which such Offender has been sentenced, exchanging the Name of such Reformatory for the Name of any other Reformatory to which such Offender might in the first instance legally have been sent, provided the Directors or Managers of such Reformatory be willing

willing to receive such Offender, and such Offender shall be sent to such last-mentioned School accordingly.

Expenses of Conveyance how to be paid.

**15.** The Expense of conveying any Juvenile Offender sentenced under this Act to the Reformatory School to which he has been committed under an original or supplemental Order shall be charged and chargeable upon the County, County of a City, or County of a Town from which he shall have been first removed, and such Expenses shall in the first instance be paid as follows; that is to say, by the Governor of the Prison of such County, County of a City, or County of a Town, when such Expenses shall have been incurred by the Governor or any Officer of any Prison therein respectively having the Custody under Sentence of such Offender, other than a Bridewell, and by the local Inspector of Constabulary when such Expenses shall have been incurred by the Keeper or other Officer of any Bridewell therein respectively having the Custody under Sentence of such Offender; and such Governor and local Inspector respectively shall from Time to Time lay before the Board of Superintendence of the said Prison Accounts duly vouched of the Expenses so incurred; and the said Board shall examine such Accounts, and upon being satisfied of their Reasonableness and Accuracy shall pay the same out of any Funds under their Control, in like Manner as if such Expenses had been incurred for the Removal of Prisoners under the Provisions of an Act passed in the Fourteenth and Fifteenth Years of the Reign of Her Majesty, Chapter Eighty-five, and the said Act shall extend to and include such Expenses.

Governor of Prison, &c. to send Duplicate or Copy of Warrant of Commitment with Offender to Reformatory.

**16.** It shall be the Duty of the Governor of any Prison, or the Keeper or other Officer of any Bridewell, having the Custody under Sentence of any Juvenile Offender who is ordered to be sent to any Reformatory, to forward, with such Offender, to such Reformatory an original Duplicate, if any such Duplicate exists, of the Warrant of Commitment under which such Offender has been imprisoned, and if no such Duplicate exists, to forward with such Offender a Copy of such Warrant, and at the Foot of such Duplicate or Copy to make a Memorandum stating that the Juvenile Offender named therein, and sent therewith, is identical with the Person delivered with the Warrant of which the Instrument is a Duplicate or a Copy to such Prison or Bridewell, and such Memorandum shall be signed by such Governor or Keeper or other Officer aforesaid, and the Possession of such Warrant or Copy of a Warrant, with such Memorandum so signed, shall be a sufficient Authority for the Detention of such Juvenile Offender in such Reformatory.

**17.** The

What shall be deemed sufficient Evidence as to Identity of Juvenile Offenders.

**17.** The Production of an original Duplicate of the Warrant of Commitment or a Copy of the Warrant of Commitment of such young Person, with a Memorandum as aforesaid, signed or purporting to be signed by the Governor or Keeper of the Gaol or Bridewell from which such young Person was sent as herein-before provided, accompanied by a Statement signed or purporting to be signed by the Manager or Superintendent of any Reformatory School, that the young Person named in such Warrant or Copy was duly received into and is at the signing thereof detained in such School, or has been otherwise disposed of according to Law, shall in all Proceedings whatsoever be sufficient Evidence of the due Conviction and Imprisonment and subsequent Detention and Identity of the young Person named in such Warrant.

Power to Treasury to defray Cost of Maintenance at Reformatory School.

**18.** It shall be lawful for the Commissioners of Her Majesty's Treasury, upon the Representation of the Chief Secretary of the Lord Lieutenant of *Ireland*, to defray, out of any Funds which shall be provided by Parliament for that Purpose, either the whole Cost of the Care and Maintenance of any Juvenile Offender so detained in any Reformatory School as aforesaid, at such Rate *per* Head as shall be determined by them, or such Portion of such Cost as shall be recommended by the said Chief Secretary.

Absconding or refractory Conduct at Reformatory School, how to be punished.

**19.** And whereas it is expedient that some Provisions should be made for the Punishment of any Juvenile Offender so directed to be detained as aforesaid in any such Reformatory School who shall abscond therefrom, or wilfully neglect or refuse to abide by and conform to the Rules thereof: Be it enacted, That it shall and may be lawful to and for any Justice of the Peace or Magistrate in Petty Sessions, or Police Magistrate, acting in and for the County, City, Borough, Riding, or Division wherein the said Offender shall actually be or be recaptured at the Time he or she shall so abscond, or neglect or refuse as aforesaid, upon the Proof thereof made before him upon the Oath of One credible Witness, by Warrant under his Hand and Seal to commit the Party so offending for every such Offence to any Gaol or House of Correction for the said County, City, Borough, Riding, or Division, with or without Hard Labour, for any Period not exceeding Six Calendar Months, such Period of Imprisonment to be passed, as far as is practicable, in strict Separation; and such Offender shall at the Termination of such Imprisonment be transmitted to the same Reformatory to which he or she was originally sentenced, if the Directors or Managers shall be then willing to receive such Offender, there to complete the full Term of his or her original Sentence.

**20.** Any

Penalty for harbouring any young Person absconding from a Reformatory School.

**20.** Any Person who shall directly or indirectly wilfully withdraw any young Person from any such Reformatory School or Institution as aforesaid to which he or she has been so sent, or induce him or her to abscond therefrom, or who, knowing any young Person to have been withdrawn or to have absconded from any such School or Institution as aforesaid, shall harbour or conceal or assist in concealing such young Person, or prevent him or her from returning to such School or Institution, shall be liable for any such Offence to a Penalty not exceeding Five Pounds, to be recovered and enforced by summary Conviction in the same Manner, and subject to the same Provisions and Orders, and under the same Powers, as any penal or other Sum may be enforced by summary Conviction under the Petty Sessions, *Ireland*, Act, 1851.

Officers to have Privileges, &c. of Constables.

**21.** Every Officer of a Certified Reformatory School authorized by the Managers of the School, in Writing under their Hands or the Hand of their Secretary, to take charge of any youthful Offender sentenced to Detention under this Act for the Purpose of conveying him to or from the School, or of bringing him back to the School in case of his Escape or Refusal to return, shall, for such Purpose and while engaged in such Duty, have all such Powers, Authorities, Protection, and Privileges for the Purpose of the Execution of his Duty as a Reformatory Officer as any Constable has while acting within his Jurisdiction.

Power to Treasury to repay Half Cost of Recapture.

**22.** Whenever the Inspector of Reformatory Schools shall certify under Hand in Writing that in his Opinion the absconding of any young Offender from any Reformatory School was not the Result of Negligence or Want of due Precaution upon the Part of the Manager, Half the Expenses of Recapture shall be paid to the Manager by the Treasury.

Contribution by Parents to the Maintenance of Offenders in a Reformatory School, how to be enforced.

**23.** In every Case in which any Juvenile Offender shall be sentenced to be detained in a Reformatory School under this Act, the Court by which he or she shall be so sentenced shall direct the proper Officer of the Court to issue his Certificate of the said Sentence, which shall be conclusive Evidence thereof; and in every Case of such Sentence as aforesaid the Parent or Step-Parent of such Offender shall, if of sufficient Ability, be liable to contribute to his or her Support and Maintenance a Sum not exceeding Five Shillings a Week; and it shall be lawful for any Justice or Justices of the Peace sitting at Petty Sessions for the District in which such Parent or Step-Parent shall reside, or for any Divisional Police Magistrate in any City or Borough in which such Parent or Step-Parent shall reside, upon the Complaint of any Person authorized by the

the Chief or Under Secretary of the Lord Lieutenant for *Ireland* to take Proceedings in that Behalf, to summon the Parent or Step-Parent, as the Case may be, and on the Hearing of such Summons, whether the Party summoned shall appear or not, to examine into his or her Ability to contribute to such Offender's Support or Maintenance, and to make an Order upon him or her for such weekly Payment, not exceeding Five Shillings *per* Week, as shall seem reasonable, during the whole or any Part of the Detention of such Juvenile Offender in such Reformatory School, such Payment to be made, at such Times as by such Order may be directed, to the Person so authorized to take Proceedings as aforesaid, or to such Person as such Chief or Under Secretary may from Time to Time appoint to receive the same, and by him to be accounted for and paid as the said Chief or Under Secretary may direct.

Power to remit, reduce, or increase the weekly Payments. Payment not to exceed Five Shillings weekly.

**24.** The Parent or Step-Parent, or the Person authorized by the Chief or Under Secretary of the Lord Lieutenant of *Ireland* to take Proceedings as aforesaid, may respectively at any Time apply to any Justice or Justices of the Peace sitting at Petty Sessions for the District in which such Parent or Step-Parent resides, or before any Divisional Police Magistrate for any City or Borough in which such Parent or Step-Parent resides or in which such Reformatory is situate, for an Order to diminish the weekly Sum payable by said Parent or Step-Parent under such Order as aforesaid, or to increase it to an Amount not exceeding Five Shillings *per* Week; and the Justices or Stipendiary or Divisional Police Magistrate as aforesaid, on Proof that the said Parent or Step-Parent, or the said Person so authorized to take Proceedings as aforesaid, have given to each other, as the Case may be, not less than One Week's Notice in Writing of the intended Application, and of the Time and Place of hearing the same, shall make full Inquiry into the Matter and into the then Circumstances and Ability of such Parent or Step-Parent, and may diminish or increase the Amount of the weekly Sum payable by such Parent or Step-Parent as they think fit, or may release him from such Payment altogether, such Order to be without Prejudice to any future Order which on any further Inquiry into the Circumstances and Ability of the said Parent or Step-Parent may appear to be just and reasonable.

Provisions in case of Default in Payment by Parents.

**25.** In case Default be made for the Space of Fourteen Days in Payment of any Sum of Money which may have become payable by such Parent or Step-Parent under any such Order, such Sum of Money shall in every such Case be levied upon the Goods and Chattels of the Defendant by Distress and Sale thereof; and if it shall appear to the said Justices, on Confession of the Defendant or

otherwise, or if it shall be returned to the Warrant of Distress, in any such Case that no sufficient Goods of the Party against whom such Warrant shall have been issued can be found, it shall be lawful to the Justices or Magistrate to whom such Return is made, or for any other Justice of the Peace for the same County, Riding, Division, Liberty, City, Borough, or Place, by his Warrant as aforesaid, to commit the Defendant to the House of Correction or Common Gaol for any Term not exceeding Ten Days, unless the Sum to be paid, and all Costs and Charges of the Distress, and of the Commitment and conveying of the Defendant to Prison, (the Amount thereof being ascertained and stated in such Commitment,) shall be sooner paid.

Provision for Care of Offenders when discharged from Reformatory Schools.

**26.** Whereas it is expedient to make further Provision for the due Care and Protection of Juvenile Offenders discharged from Reformatory Schools: It shall be lawful for the Managers of any Reformatory School, previous to making Application for the Discharge of any Juvenile Offender committed to such School, to place such Offender on Trial with some Person to be named in the Licence herein-after mentioned, who shall be willing to receive and take charge of and qualified to provide for and take care of such Offender, and to grant to such Offender a Licence under their Hands, or the Hand of any One of them appointed for that Purpose, to reside with such Person for any Term not exceeding Twelve Months, unless sooner called upon by the said Managers to return to the said School, and to require such Offender to return to the said School at any Time during the same; and any Offender who shall abscond from such Person during such Term, or shall refuse to return to the Reformatory School at the End of such Term or before the End of the Time, when so required, shall be held to have absconded from the School, and shall be liable to the Penalties in that Case made and provided: Provided always, that no such Offender shall be so placed out before the Expiration of One Half of the Term of Detention to which he was originally sentenced.

Power to apprentice Offenders.

**27.** The Managers of a Certified Reformatory School may, at any Time after an Offender has been placed out on Licence as aforesaid, if he conducted himself well during his Absence from the School, bind him, with his own Consent, Apprentice to any Trade, Calling, or Service, notwithstanding that his Period of Detention has not expired; and every such Binding shall be valid and effectual to all Intents.

Offenders may be removed

**28.** It shall and may be lawful for the Chief Secretary of the Lord Lieutenant of *Ireland*, if he shall think fit to do so, to remove any

from one School to another.

any such youthful Offender from one Reformatory School to another: Provided always, that such Removal shall not increase the Period for which such Offender was sentenced to remain in a Reformatory School, and that the same shall only be to some Reformatory under the Management of Persons of the same Religious Profession as that to which he or she might have been originally committed.

Rules respecting Evidence under this Act.

**29.** The following Rules shall be enacted with respect to Evidence under this Act:

(1.) The Production of the *Dublin Gazette*, containing a Notice of the Grant or Withdrawal of a Certificate by the Chief Secretary to or from a Reformatory School, or of the Resignation of any such Certificate, shall be sufficient Evidence of the Fact of the Publication of such Notice, and also of the Fact of a Certificate having been duly granted to or withdrawn from the School named in the Notice, or resigned by the Managers thereof.

(2.) The Grant of a Certificate to a certified School may also be proved by the Production of the Certificate itself, or of a Copy of the same, purporting to be signed by the Inspector of Reformatory Schools.

(3.) The Production of the Warrant or other Document in pursuance of which a youthful Offender is directed to be sent to a Certified Reformatory School, with a Statement endorsed thereon or annexed thereto, purporting to be signed by the Superintendent or other Person in charge of the School, to the Effect that the Offender therein named was duly received into and is at the Date of the signing thereof detained in the School, or has been otherwise dealt with according to Law, shall in all Proceedings relating to such Offender be Evidence of the Identity of and of the due Conviction and Imprisonment of and subsequent Detention of the Offender named in the Warrant or other Document.

(4.) A Copy of the Rules of a Certified Reformatory School, purporting to be signed by the Inspector of Reformatory Schools, shall be Evidence of such Rules in all legal Proceedings whatever.

(5.) A School to which any youthful Offender is directed to be sent in pursuance of this Act shall, until the contrary is proved, be deemed to be a Certified Reformatory School within the Meaning of this Act.

Service of Notice on Managers Schools.

**30.** Any Notice may be served on the Managers of a Certified Reformatory School by delivering the same personally to any One of them,

them, or by sending it, by Post or otherwise, in a Letter addressed to them or any of them at the School, or at the usual or last known Place of Abode of any Manager, or of their Secretary.

*Forms.*

Use of Forms in Schedule.

**31.** No Summons, Notice, or Order made for the Purpose of carrying into effect the Provisions of this Act shall be invalidated for Want of Form only; and the Forms in the Schedule to this Act annexed, or Forms to the like Effect, may be used in the Cases to which they refer, with such Variations as Circumstances require, and when used shall be deemed sufficient.

*Repeal of Enactments.*

Enactments herein named repealed.

**32.** There shall be repealed the Enactments herein-after mentioned; that is to say,

21 & 22 Vict. c. 103.

The Act of the Session of the Twenty-first and Twenty-second Years of Her present Majesty, Chapter One hundred and three, intituled *An Act to promote and regulate Reformatory Schools in* Ireland:

Provided that such Repeal shall not affect—

1. Any Certificate given or anything duly done under any Act hereby repealed:
2. Any Penalty, Forfeiture, or other Punishment incurred under any Act hereby repealed, or any Remedy for recovering or enforcing the same.

Application of Act to existing Certified Schools.

**33.** This Act shall apply to all Reformatory Schools certified under the Act hereby repealed, and to all Offenders sent to any Reformatory School under the Act hereby repealed, in the same Manner in all respects as if such School had been certified and such Offenders had been sent thereto under this Act, with this Qualification, that no youthful Offender shall be detained in any Reformatory School in pursuance of any Order made under the repealed Act for a longer Period than he would have been liable to be detained therein if this Act had not been passed.

## SCHEDULE.

### FORMS.

(A.)

*Conviction.*

to wit. } Be it remembered, That on the Day of at in the said [*County*] of *A.B.*, under the Age of Sixteen Years, to wit, of the Age of [*Thirteen*] Years, is convicted before us, Two of Her Majesty's Justices of the Peace for the said [*County*], for that [*&c., state Offence in usual Manner*]; and we adjudge the said *A.B.* for his said Offence to be imprisoned in the [*Prison*] at in the said [*County*], [*and to be there kept to Hard Labour*] for the Space of :

And that, in pursuance of the Irish Reformatory Schools Act, 1868, we also sentence the said *A.B.* (whose Religious Persuasion appears to us to be ) to be sent, at the Expiration of the Term of Imprisonment aforesaid, to Reformatory School at in the County of (the Managers whereof are willing to receive him), [*or* to some Certified Reformatory School to be hereafter, and before the Expiration of the Term of Imprisonment aforesaid, named in this Behalf], and to be there detained for the Period of commencing from and after the Day of [*the Date of the Expiration of the Sentence*].

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [*County*] aforesaid.

*J.S.* (L.S.)
*L.M.* (L.S.)

---

(B.)

*Order of Detention.*

to wit. } To the Constable of , and to the Governor of the [*Prison*] at in the said [*County*] of .

Whereas *A.B.*, late of [*Labourer*], under the Age of Sixteen Years, to wit, of the Age of [*Thirteen*] Years, was this Day duly convicted before the undersigned, Two of Her Majesty's Justices of

of the Peace in and for the said [*County*] of , for that [*&c., stating the Offence as in the Conviction*], and it was thereby adjudged that the said *A.B.* for his said Offence should be imprisoned in the [*Prison*] at in the said [*County*], [*and be there kept to Hard Labour*] for the Space of ; and in pursuance of the Irish Reformatory Schools Act, 1868, the said *A.B.* (whose Religious Persuasion appeared to us to be ) was thereby sentenced to be sent, at the Expiration of the Term of Imprisonment aforesaid, to the Reformatory School at in the County of (the Managers whereof are willing to receive him therein), [*or* to some Certified Reformatory School to be before the Expiration of the said Term named in that Behalf,] and to be there detained for the Period of commencing from and after the Day of [*the Date of the Expiration of the Sentence*]:

These are therefore to command you, the said Constable of , to take the said *A.B.*, and him safely convey to the [*Prison*] at aforesaid, and there to deliver him to the Governor thereof, together with this Precept: And we do hereby command you, the said Governor of the said [*Prison*], to receive the said *A.B.* into your Custody in the said [*Prison*], there to imprison him [*and keep him to Hard Labour*] for the Space of : [And we further command you, the said Governor, to send the said *A.B.* at the Expiration of his Term of Imprisonment aforesaid, as and in the Manner directed by the Irish Reformatory Schools Act, 1868, to the Reformatory School at aforesaid [*or* to the Reformatory School named by an Order endorsed hereon under the Hands and Seals of us, or under the Hand and Seal of One other of Her Majesty's Justices of the Peace for the said *County*, being a Visiting Justice of the said Prison], together with this Order:] And for so doing this shall be your sufficient Warrant.

Given under our Hands and Seals, this Day of in the Year of our Lord at in the [*County*] aforesaid.

*J.S.* (L.S.)
*L.M.* (L.S.)

---

(C.)

*Nomination of School endorsed on the Order of Detention.*

In pursuance of The Irish Reformatory Schools Act, 1868, I, the undersigned, One of Her Majesty's Justices of the Peace for the [*County*] of hereby name the

Reformatory

Reformatory School at in the County of as the School to which the within-named *A.B.* (whose Religious Persuasion appears to me to be ) is to be sent as within provided [*add where required* in lieu of the School within (*or* above) named].

Given under my Hand and Seal, this Day of at in the County of .

*E.F.* (L.S.)

---

(D.)

*Complaint for enforcing Contribution from Parent, &c.*

to wit. } The Complaint of the Inspector of Reformatory Schools [*or as the Case may be*] made to us, the undersigned, Two of Her Majesty's Justices of the Peace for the said County of , this Day of at in the same County, who says, That one *A.B.* of (*) the Age of Years, or thereabouts, is now detained in the Reformatory School at in the County of , under the Irish Reformatory Schools Act, 1868, and has been duly ordered and directed to be detained therein until the Day of : That one *C.B.*, dwelling in the Parish of in the County of , is the Parent [*or* Step-Parent, *&c.*] of the said *A.B.*, and is of sufficient Ability to contribute to the Support and Maintenance of the said *A.B.*, his Son: (*) The said Complainant therefore prays that the said *C.B.* may be summoned to show Cause why an Order should not be made on him so to contribute.

Exhibited before us, *C.D.*

*J.S.*

*L.M.*

---

(E.)

*Summons to Parent, &c.*

To *C.B.* of [*Labourer*].

Whereas Information hath this Day been laid [*or* Complaint hath this Day been made] before the undersigned [*One, or as the Case may be*] of Her Majesty's Justices of the Peace in and for the said [*County*] of , for that you [*here state shortly the Matter of the Information or Complaint*]: These are therefore to command you, in Her Majesty's Name, to be and appear on at o'Clock in the Forenoon at before such Justices of the Peace for the said County [*or as the Case may be*] as may then be there to answer to the said Information

mation [*or* Complaint], and to be further dealt with acording to Law.

Given under my [*or* our] Hand and Seal, this Day of in the Year of our Lord , at in the [*County*] aforesaid.

*J.S.* (L.S.)

---

*Warrant where the Summons is disobeyed.*

To the [*Head or other*] Constable of , and to all other Peace Officers in the said [*County*] of .

WHEREAS on last past Information was laid [*or* Complaint was made] before the undersigned [*One*] of Her Majesty's Justices of the Peace in and for the said [*County*] of for that *A.B.* [*&c., as in the Summons*]: And whereas [*I*] then issued my Summons unto the said *C.B.*, commanding him in Her Majesty's Name to be and appear on at o'Clock in the Forenoon at before such Justices of the Peace for the said [*County*] as might then be there to answer to the said Information [*or* Complaint], and to be further dealt with according to Law: And whereas the said *C.B.* hath neglected to be or appear at the Time and Place so appointed in and by the said Summons, although it hath now been proved to me on Oath that the said Summons hath been duly served upon the said *C.B.*: These are therefore to command you, in Her Majesty's Name, forthwith to apprehend the said *C.B.*, and to bring him before some One or more of Her Majesty's Justices of the Peace in and for the said [*County*] to answer to the said Information [*or* Complaint], and to be further dealt with according to Law.

Given under my Hand and Seal, this Day of in the Year of our Lord , at in the [*County*] aforesaid.

*J.S.* (L.S.)

---

(F.)

*Order on Parent, &c. to contribute a weekly Sum.*

to wit. } BE it remembered, That on this Day of at in the said [*County*] of a certain Complaint of the Inspector of Reformatory Schools [*or as the Case may be*], for that one *A.B.* of, *&c.* [*stating the Cause of Complaint as in the Form* (D.) *between the Asterisks* (*) (*)] was duly heard by and before us, the undersigned, Two of Her Majesty's Justices of the Peace in and for the said [*County*] of

of (in the Presence and Hearing of the said *C.B.*, *if so, or* the said *C.B.* not appearing to the Summons duly issued and served in this Behalf); and we, having duly examined into the Ability of the said *C.B.*, and on Consideration of all the Circumstances of the Case, do order the said *C.B.* to pay to the said Inspector [*or* to an Agent of the said Inspector] the Sum of Shillings per Week from the Date of this Order until the Day of , the same to be paid at the Expiration of each [Fourteen, *or, as the Case may be*, Days].

Given under our Hands and Seals, the Day and Year first above mentioned, at in the [*County*] aforesaid.

*J.S.* (L.S.)
*L.M.* (L.S.)

---

(G.)

*Distress Warrant for Amount in arrear.*

} To the Constable of , and to all other Peace
to wit. } Officers in the said [*County*] of .

WHEREAS on the Hearing of a Complaint made by the Inspector of Reformatory Schools, [*or as the Case may be,*] that *A.B.* of, *&c.* [*stating the Cause of Complaint as in the Form* (D.) *between the Asterisks* (*) (*)], an Order was made on the Day of by us, the undersigned [*or* by *L.M.* and *J.H.*], Two of Her Majesty's Justices of the Peace in and for the said [*County*] of against the said *C.B.*, to pay to the said Inspector [*or as the Case may be*] the Sum of per Week from the Date of the said Order until the Day of , the same to be paid at the Expiration of each [*Twenty-eight*] Days [*or as the Case may be*] (*): And whereas there is due upon the said Order the Sum of , being for [*Three*] Periods of [*Fourteen*] Days each, and Default has been made therein for the Space of Fourteen Days:

These are therefore to command you, in Her Majesty's Name, forthwith to make Distress of the Goods and Chattels of the said *C.B.*, and if within the Space of [*Five*] Days next after the making of such Distress the said last-mentioned Sum, together with the reasonable Charges of taking and keeping the said Distress, is not paid, that then you do sell the said Goods and Chattels so by you distrained, and do pay the Money arising from such Sale to the Clerk of the Petty Sessions for the District of , that he may pay and apply the same as by Law directed, and may render the Overplus (if any), on Demand, to the said *C.B.*; and if no such Distress can be found, then that you certify the same to

us, to the end that such Proceedings may be had therein as the Law requires.

Given under our Hands and Seals, this Day of at in the [*County*] aforesaid.

*J.S.* (L.S.)
*L.M.* (L.S.)

(H.)

*Commitment in default of Distress.*

to wit. } To the Constable of and to the Governor of the [*Prison*] at in the said [*County*] of

WHEREAS [*&c., as in the Form* (G.) *to the single Asterisk* (*), *and then thus*]: And whereas afterwards, on the Day of last, I, the undersigned, together with *L.M.*, Esquire, [*or J.S.* and *L.M.*, Esquires,] Two of Her Majesty's Justices of the Peace in and for the said [*County*] of , issued a Warrant to the Constable of aforesaid, commanding him to levy the Sum of due upon the said recited Order, being for [*Three*] Periods of [*Fourteen*] Days, by Distress and Sale of the Goods and Chattels of the said *C.B.*: And whereas a Return has this Day been made to me the said Justice [*or* the undersigned, One of Her Majesty's Justices of the Peace in and for the said [*County*] of ], that no sufficient Goods of the said *C.B.* can be found:

These are therefore to command you, the said Constable of , to take the said *C.B.*, and him safely to convey to the [*Prison*] at aforesaid, and there deliver him to the Governor thereof, together with this Precept: And I do hereby command you, the said Governor of the said [*Prison*], to receive the said *C.D.* into your Custody in the said [*Prison*], there to imprison him for the Term of , unless the said Sum, and all Costs and Charges of the said Distress, and of the Commitment and conveying of the said *C.D.* to the said [*Prison*], amounting to the further Sum of , shall be sooner paid unto you the said Governor; and for your so doing this shall be your sufficient Warrant.

Given under my Hand and Seal, this Day of in the Year of our Lord , at in the [*County*] aforesaid.

*J.S.* (L.S.)

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.