

ANNO SEPTIMO

GEORGII IV. REGIS.

****

CAP. LXXIV.

An Act for consolidating and amending the Laws relating to Prisons in *Ireland*. [31st *May* 1826.]

WHEREAS an Act made in the Fiftieth Year of the Reign of His late Majesty, intituled *An Act for repealing the several Laws relating to Prisons in* Ireland, *and for re-enacting such of the Provisions thereof as have been found useful, with Amendments*, and the several Acts for amending the same, have not proved sufficient for the Purposes required; and it is expedient that the said Acts should be repealed, and that the Regulations therein contained should be consolidated and amended: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act the said recited Act of the Fiftieth Year of His said late Majesty's Reign shall be repealed; and that the several Acts herein-after mentioned shall also be repealed; that is to say, an Act made in the Fifty-fifth Year of His said late Majesty's Reign, intituled *An Act to amend an Act of the Fiftieth Year of His present Majesty's Reign, relating to Prisons in* Ireland, *so far as concerns Contracts for building or repairing such Prisons;* an Act made in the Fifty-seventh Year of His said late

Certain Acts relating to Prisons in Ireland repealed; viz.
50 G. 3. c. 103.
55 G. 3. c. 92.
57 G. 3. c. 71.

late Majesty's Reign, for amending the said recited Act of the Fiftieth Year of His said late Majesty's Reign; so much of an Act passed in the Fifty-ninth Year of His said late Majesty's Reign, intituled *An Act to amend the Laws for repairing and improving the Roads and other public Works in* Ireland *by Grand Jury Presentments, and for a more effectual Investigation of such Presentments, and for further securing a true, full, and faithful Account of all the Monies levied under the same,* as in any way relates to Gaols, Bridewells, Workhouses, Houses of Correction, or other Prisons, so far only as the said Act or any of the Provisions therein contained are contrary to this Act; another Act made in the Fifty-ninth Year of His said late Majesty's Reign, intituled *An Act to amend an Act of the Fiftieth Year of the Reign of His present Majesty, relating to Prisons in* Ireland; and an Act made in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Prisons in* Ireland; and the said several Acts and Parts of Acts are hereby declared to be repealed accordingly; except so far as the said recited Acts, or any of them, repeal any former Act or Acts of Parliament; and also except so far as relates to all Acts, Matters, and Things acted and done under the said recited Acts hereby repealed, or any of them, at any Time before the Commencement of this Act, all which Acts, Matters, and Things shall be and remain good, valid, and effectual to all Intents and Purposes whatsoever; and also except as to the Recovery and Application of any Penalty for any Offence which shall have been committed against any of the said Acts previous to the Commencement of this Act.

59 G. 3. c. 84.

59 G. 3. c. 100.

3 G. 4. c. 64.

except as they repeal former Acts, and except as to all Matters done before the Commencement of this Act.

Grand Juries to appoint a Board of Superintendence of the Gaols within the several Counties, &c. in Ireland.

II. And be it further enacted, That from and after the Commencement of this Act it shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town in *Ireland*, save and except the Grand Jury of the City of *Dublin*, and any and every such Grand Jury is and are hereby authorized, empowered, and required, at each and every or any Assizes or Presenting Term respectively, with the Consent and Approbation of the Court or Judge, to appoint not less than Eight nor more than Twelve Persons, One Half of whom at least shall be Justices of the Peace for the County, County of a City, or County of a Town wherein such Appointment shall take place, to be a Board of Superintendence of every Gaol, Bridewell, House of Correction, or other Prison within such County, County of a City, or County of a Town respectively, and not being a Prison of a different County, County of a City, or County of a Town; and that it shall and may be lawful for the Grand Jury at any subsequent Assizes or Presenting Term for any such County, County of a City, or County of a Town, to appoint a new Board of Superintendence, or to remove any Member or Members of the existing Board, or to appoint so many new Members of any such existing Board as they shall think proper, and as the Case may require, but so as that there shall not at any Time be more than Twelve Members of any such Board; and any Three or more of such Board of Superintendence, One of whom at least shall be a Justice of the Peace, shall be in all Cases competent to do and perform any Matter or Thing whatsoever in execution of any Duty required to be done and performed,

formed, or which might be lawfully done and performed by the whole Board of Superintendence, in virtue of any Powers granted to them by this Act, or by any other Act in which there shall not be an express Provision to the contrary; and every Act done or performed by such Three Members of such Board of Superintendence, One of whom at least shall be a Justice of the Peace, shall be as valid and effectual, to all Intents and Purposes whatsoever, as if done by the whole Board of Superintendence; and it shall and may be lawful for the Grand Jury of every such County, County of a City, and County of a Town, to make all Presentments of Money under this Act to such Board of Superintendence, to be by them appropriated to the several Purposes for which such Monies are intended; and also, if they shall think proper so to do, to present in advance to such Board any reasonable Sum or Sums which such Grand Jury shall deem necessary for any of the Purposes for which Presentments are or shall be allowed by this Act, or by any Act which shall at any Time or Times be in force in *Ireland*, relating to Repairs, Accommodation, or Discipline of Prisons, or of the particular Prison or Prisons in respect of which such Advance may be desired; and every Sum so presented in advance shall and may be afterwards applied or applicable, by and under the Orders of such Board of Superintendence, to the Purposes for which the same shall be so presented respectively, and shall be afterwards duly accounted for according to Law.

Grand Jury may make Presentments to such Board.

III. And be it further enacted, That it shall and may be lawful for such Board of Superintendence to inquire concerning the due Performance of the Rules and Regulations in and by this Act prescribed and required to be observed in Prisons throughout *Ireland*; and also concerning the due Purformance of such other Rules and Regulations as may have been or may from Time to Time be made by or under the Authority of His Majesty's Court of King's Bench in *Ireland*, or with the Approbation of any One or more of the Judges of the said Court of King's Bench, as herein-after mentioned; and also to examine into the State and Repair of the Buildings, the Conduct and Situation of the Prisoners in every or any such Gaol, Bridewell, House of Correction, or other Prison respectively, and of all Persons concerned in the Government or Management thereof, or holding any Office or Employment therein or relating thereto respectively; and such Board of Superintendence are hereby authorized and empowered to examine on Oath any Officer, or any other Person or Persons whomsoever, touching the Conduct of any Officer of any such Prison, or of any Prisoner therein, or touching or relating to the Government and Management of such Prison, and the Promotion of Industry and Order therein, and the Classification and Distribution of Offenders and Prisoners in any such Prison; and if it shall appear to the said Board, by Evidence on Oath or otherwise, that the Persons concerned in the Government or Management of any such Prison, or any of them, or any Person holding any Office or Employment therein or relating thereto, have misbehaved therein, by any Neglect or Breach or Non-observance of the Rules and Regulations, or any of them, to which they were respectively bound by Law to conform, then it shall be lawful for such Board of Superintendence,

The Board empowered to visit all Prisons, and to examine them, and the Conduct of the Officers, &c.

intendence, and they are hereby authorized and empowered, to make a Report respecting such Misbehaviour to the next going Judge of Assize, and to the Grand Jury at the next Assizes.

The Board may make Bye Laws for Gaols, which, when approved by Grand Jury, and a Judge of the King's Bench, shall be printed and become the Standing Regulations for such Gaols.

IV. And be it further enacted, That it shall and may be lawful for such Board of Superintendence to make Bye Laws for each and every or any Gaol or other Prison under their Superintendence, not inconsistent with the Regulations contained in this Act; and that such Bye Laws, when approved by a succeeding Grand Jury, and by One or more of the Judges of His Majesty's Court of King's Bench in *Ireland*, shall be printed and posted in the Prison, and obeyed as Standing Regulations of such Gaol or other Prison; and it shall be the Duty of the Local Inspector of every Prison appointed under this Act, to see that such Bye Laws, and also all other Regulations made by this Act, or by any competent Authority under this Act, are carried into full Force and Effect, and that no Magistrate shall have Authority to alter or add to such Bye Laws or Regulations, or in any Manner to interfere with the Discipline of the Prison, and that the Sheriff shall not interfere therein, further than may be necessary for the safe Custody of the Prisoners.

Any Justice may visit the Prison, and report Abuses to the Board of Superintendence.

V. Provided also, and be it enacted, That it shall be lawful for any Justice of the Peace for any County, County of a City, or County of a Town in *Ireland*, at his own free Will and Pleasure, to enter into and examine any Prison of such County, County of a City, or County of a Town, at such Time or Times, and so often as he shall see fit, and if he shall discover any Abuse or Abuses therein, he is hereby required to report them in Writing to the Board of Superintendence to be appointed under this Act; and when and so often as a Report of any Abuse or Abuses in any such Prison shall be made by any such Justice of the Peace, the Abuse or Abuses so reported shall be taken into immediate Consideration by the Board of Superintendence as aforesaid, and they are hereby required to adopt the most effectual Measures for inquiring into and rectifying such Abuse or Abuses so soon as the Nature of the Case will allow.

For providing distinct Apartments, Yards, and other Accommodations for different Classes of Prisoners.

VI. And be it further enacted, That every Gaol, Bridewell, Marshalsea, Penitentiary House, House of Correction, Sheriff's Prison and other Prison, in *Ireland*, of what Nature or Kind soever the same shall be, shall consist at the least of Two separate Parts, One for Male and One for Female Prisoners, with a complete Division between them, so as to prevent any Intercourse between the said Male and Female Prisoners; and that to each of the said Parts there shall be annexed and belong a Yard, of sufficient Dimensions to enable the said Prisoners to have the Benefit of fresh Air and Exercise therein; and that in every such Yard there shall be a Necessary House or Privy, to which such Prisoners respectively shall have free Access at all Times, so far as the same can be consistently with the safe keeping of such Prisoners; and that there shall be in every such Yard a Supply of good Water; and that in every such Prison there shall be a Common Hall for Males, and another for Females; and that in every County Gaol or House

of

of Correction the most effectual Means shall be adopted for the Security, Classification, Health, Inspection, Employment, and Religious and Moral Instruction of the Prisoners; the Building shall be so constructed or applied, and the Keepers and Officers Apartments so situated, as may best ensure the Safety of the Prison, and facilitate the Controul and Superintendence of those committed thereto; distinct Wards and dry and airy Cells shall be provided, in which Prisoners of the several Descriptions and Classes herein-after enumerated may be respectively confined; and it shall be considered as a primary and invariable Rule, that the Male Prisoners shall in all Cases be separated from the Female, so as to prevent any Communication between them; Provision shall be made for the Separation of Prisoners into the following Classes:—If a Gaol, First, Debtors and Persons confined for Contempt of Court on Civil Process; Secondly, Prisoners convicted of Felony; Thirdly, those convicted on Trial of Misdemeanors; Fourthly, those committed on Charge or Suspicion of Felony; Fifthly, those committed on Charge of Misdemeanors or for Want of Sureties:—If a House of Correction, First, Prisoners convicted of Felony; Secondly, Prisoners convicted upon Trial of Misdemeanors; Thirdly, those committed on Charge or Suspicion of Felony; Fourthly, those commmitted on Charge of Misdemeanors; Fifthly, Vagrants:—Places of Confinement shall also be set apart in every Gaol and House of Correction for such Prisoners as are intended to be examined as Witnesses in behalf of the Crown in any Prosecutions; and such further Means of Classification shall be adopted as shall be deemed conducive to good Order and Discipline; separate Infirmaries shall be provided for the Two Sexes; and Warm and Cold Baths or Bathing Tubs shall be introduced into such Parts of the Prison as may be best adapted for the Use of the several Classes; separate Common Halls and Yards shall be allotted to the different Classes for Air and Exercise, and each Class shall have the Use of a Privy, and be furnished with a Supply of good Water; a separate Sleeping Cell shall, if possible, be provided for every Prisoner, but as the Numbers may sometimes be greater than the Prison is calculated to contain under that Arrangement, and as it is expedient that Two Male Prisoners only should never be lodged together, a small Proportion of Cells or Rooms shall be provided for the Reception of Three or more Persons; every Prison shall contain Rooms and Places properly fitted up for the Exercise of Labour and Industry, and also a competent Number of Cells adapted to solitary Confinement for the Punishment of refractory Prisoners, and for the Reception of such Persons as may by Law be confined therein; One or more Chapel or Chapels shall be provided in every Prison, in such a convenient Situation as to be easy of Access to all the Prisoners, it shall be fitted up with separate Divisions for Males and Females, and also for the different Classes, and shall be strictly set apart for Religious Worship, or for the occasional Religious and Moral Instruction of the Prisoners, and shall never be appropriated to or employed for any other Purpose whatsoever.

Expences of building, &c. of Marshal-

VII. And be it further enacted, That all and every the Expence of building, purchasing, procuring, altering, enlarging, and repairing the

sea and all Penitentiary Houses shall be paid out of the Consolidated Fund Expences of County Gaols, &c. to be paid by Presentments.

the Marshalsea of the Four Courts in *Dublin*, and all and every Penitentiary House or Houses in *Ireland*, shall be discharged, and all and every Rent payable for or in respect thereof, or of the Ground or Appurtenances thereof respectively, shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the said Expences of all County Prisons, whether Gaols, Bridewells, Houses of Correction, Sheriffs Prisons, or otherwise, shall be defrayed by the respective Counties, Counties of Cities, and Counties of Towns, by Presentments on the said Counties, Counties of Cities, or Counties of Towns, to be made by the Grand Juries thereof respectively; (to wit,) in the County of *Dublin* and County of the City of *Dublin*, at the Presenting Terms, and in the other Counties, Counties of Cities, and Counties of Towns, at their respective Assizes, save as herein-after particularly mentioned.

Presentment shall describe the Site and Plan of Work proposed.

VIII. And be it further enacted, That every such Presentment of any Grand Jury shall well and sufficiently describe and present the Site of every such intended Work, and the Quantity and Situation of the Ground required for the same, and the Plan and Elevation thereof, either in the Body of such Presentment, or in a Map, Plan, Chart, or Schedule annexed to such Presentment.

Presentments in Dublin shall be in addition to all others authorized by Law.

IX. And be it further enacted, That all Presentments by this Act required to be made in the County and County of the City of *Dublin*, for the Purposes of this Act, shall be good, valid, and effectual to all Intents and Purposes, and shall and may be paid and applied to the Purposes of this Act, in addition to the Amount of any Presentments which may by Law be made in the said County and County of the City, under and by virtue of any Act or Acts in force in *Ireland* at the Time of the passing of this Act.

Lord Lieutenant may order the enlarging, repairing, &c. of the Marshalsea and Penitentiaries.

X. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to order and direct, whenever he or they shall think proper, that the said Marshalsea of the Four Courts shall be altered, enlarged, or repaired, or that a new Marshalsea shall be built on the same or any other Site or Situation, and on any Plan comprising the Accommodations and Advantages in that respect before mentioned, which he or they shall think proper; and in like Manner, that any Penitentiary House or Houses shall be built, altered, enlarged, or repaired, at such Time or Times, on such Plan or Plans, comprising the said Advantages, and in such Place or Places as he or they shall think proper; and to issue his and their Order to the Board of Works for the executing of such Work accordingly, who shall cause the same to be executed according to such Order, and in such Way, whether by Contract or otherwise, as shall be directed by such Order, and for Default of such Direction, then and in such Way as the said Board shall think proper.

Grand Juries to make Presentments for Expences

XI. And be it further enacted, That it shall and may be lawful for the Grand Juries of the several Counties, Counties of Cities, and Counties of Towns in *Ireland* respectively, at the Assizes and

Presenting Terms respectively, and they are hereby required from Time to Time to inquire into the State of the Gaols, Bridewells, Houses of Correction, and other Prisons of their respective Counties, Counties of Cities, and Counties of Towns, and if they shall find them, or any of them, in want of repair or deficient in any of the Accommodations or Advantages aforesaid, they are hereby empowered and required to present such Sum or Sums as shall be deemed necessary to remedy such Deficiency, whether by enlarging or altering the same, or by providing a new Prison in lieu thereof, or by building any new and additional Bridewell or Bridewells, or House or Houses of Correction, or to effectuate such Repair as may be necessary; and it shall be lawful for the Grand Jury, at any Assizes or Presenting Term, to present One or more Main or Mains or Pipes, of such Bore or Bores as they shall think proper, to be laid in the most convenient Line to convey Water to any such Gaol or other Prison, whenever they shall find it possible and deem it expedient so to do, and shall have the Consent of the Owner or Owners of the Water so to be conveyed, and accordingly at all Times to convey Water through the same, and to present such Sum or Sums as shall be necessary for the Purpose; and also to present, at any Assizes or Presenting Term, a reasonable Sum to be raised upon the County, County of a City, or County of a Town, and paid as a Rent for the Use of the Water to be so conveyed, if the same shall be demanded: Provided always, that if any Person or Persons shall think they may be injured by the passing of such Pipes or Watercourses through their Lands, they may at the said Term or Assizes, or at the Term or Assizes immediately following, enter in open Court a Traverse to the said Presentment, which Traverse shall be tried at the then or immediately succeeding Term or Assizes, unless the Court shall see Reason further to postpone the same; and the Jury trying such Traverse shall find on their Oaths whether any and what Damage will arise to the Person or Persons so traversing, and the Verdict so found shall be conclusive to the Party or Parties; and either in the same or the next succeeding Term or Assizes, the Grand Jury of the said County, County of a City, or County of a Town, shall and they are hereby required to present such Sum so found, to be raised upon the County at large, and paid to such Traverser or Traversers; and upon the Sum so found being paid or tendered, it shall be lawful for the Overseers or Persons employed by them to proceed to cause the said Main or Pipe to be laid, or Watercourse to be made; and if any Person or Persons shall at any Time obstruct the Overseers, or the Person or Persons employed in laying such Main or Pipe, or making such Watercourse, and shall be convicted thereof before any One Justice of the Peace for such County, County of a City, or County of a Town, either upon Confession of the Party accused, or upon the Oath of One credible Witness, every such Person shall for every such Offence forfeit the Sum of Five Pounds, to be paid to the Treasurer of the County, County of a City, or County of a Town, to be by him placed to the Credit of the County, County of a City, or County of a Town, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so offending, upon the Warrant of the Justice of the Peace before whom Complaint shall be so made.

of County Prisons;

and also for laying on Water when deemed expedient.

Penalty on obstructing the laying of Water Pipes.

XII. And

Penalty on damaging Water Pipes in Prisons.

XII. And the better to preserve such Pipe, Main, or Watercourse, when laid or made, be it enacted, That if any Person or Persons shall wilfully destroy or injure any Part of the said Pipe or Main or Watercourse, or of any Pipe, Main, or Watercourse, through which Water shall be conveyed to any Prison in *Ireland*, or to any of the Yards or Buildings thereto belonging, so as to prevent the Water from regularly and fully flowing to the same, or shall insert any Cock or Pipe into any Part of such Main, or make any Cut to divert the Water thereof to any other Purpose, and shall upon Indictment be convicted thereof, he or they shall be committed to the County Gaol, and shall therein remain in close Confinement for One Year, or until he or they shall pay a Sum of Fifty Pounds, one Half thereof to the Treasurer of the County, to be by him placed to the Credit of the County, and the other Half thereof to the Person or Persons who shall discover and cause the said Offender or Offenders to be convicted.

Bridewells.

XIII. And be it further enacted, That all Bridewells which shall be built, repaired, purchased, or taken at a Rent under this Act shall be deemed and taken to be County Bridewells, to all Intents and Purposes.

How Gaols shall be repaired in case of Accidents.

XIV. And whereas Fires or other sudden Accidents may happen in any of the said Gaols, Bridewells, Houses of Correction, or other Prisons, and in such Case it may be necessary that such Gaol, Bridewell, House of Correction, or other County Prison should be repaired before there can be any Opportunity to make Provision as aforesaid; be it enacted, That in case any Fire or other sudden Accident shall happen in any of the Gaols, Bridewells, Houses of Correction, or other County Prisons aforesaid, it shall and may be lawful to and for the Board of Superintendence of such County, County of a City, or County of a Town, appointed under this Act, and in the City of *Dublin* for any Three or more Justices of the Peace or Magistrates, to cause an Estimate and Valuation to be then forthwith made of the Sum necessary to be expended on the Repair and Preservation of such Gaol, Bridewell, House of Correction, or other County Prison, and to cause such Repair to be made; and that thereupon it shall and may be lawful for any Three or more Justices of the Peace for such County, County of a City, or County of a Town, being Members of the Board of Superintendence, or Three or more Justices of the Peace or Magistrates in the City of *Dublin*, as aforesaid, after having jointly inspected the said Damage, to make an Order under their Hands and Seals on the Treasurer of such County, County of a City, or County of a Town, to pay or advance to any Person or Persons specified in such Order such Sum or Sums of Money as may be necessary to complete such Repair, not exceeding the Sum of One hundred Pounds, which Sum or Sums the said Treasurer is hereby required to pay, provided he has in his Hands Money of the said County, County of a City, or County of a Town, sufficient for that Purpose; which Sum so paid shall be replaced by Presentment to be made for that Purpose in manner aforesaid, at the first Opportunity which shall occur after the Payment thereof.

XV. And

Presentment for Rent of Gaols, &c.

XV. And be it further enacted, That in every County, County of a City, or County of a Town, in which a certain Rent is or shall be payable for the Gaol, Bridewell, House of Correction, or other Prison of such County, County of a City, or County of a Town, or any Part thereof, or any of the Appurtenances thereof, the Grand Juries of such Counties, Counties of Cities, or Counties of Towns respectively, at their Assizes or Presenting Term, shall present yearly such Rents to be raised upon their respective Counties, Counties of Cities, or Counties of Towns; and the Money so presented shall be raised and paid to such Persons to whom such Rents are or shall be respectively payable, without any Deduction whatsoever.

The whole Expences to be presented for, and to be raised by Half-yearly Instalments.

XVI. And be it further enacted, That if at any Time it shall be thought proper to build, alter, or enlarge any Gaol, Bridewell, House of Correction, or other Prison or Prisons of any County, County of a City, or County of a Town, and the Sum or Sums which shall be necessary for that Purpose shall be greater than it may be proper to raise on such County, County of a City, or County of a Town, in One Half Year, then and in every such Case it shall be lawful for the Grand Jury thereof, at any Assizes or Presenting Term, to present in the first Instance the whole Sum or Sums to be expended therein, and to direct in and by such Presentment or Presentments that the same shall be raised on such County, County of a City, or County of a Town, by any Half-yearly or Yearly Sums or Instalments, in Manner and at the Times therein specified, and the same shall be so raised accordingly: Provided always, that it shall be lawful for any subsequent Grand Jury to present, that any of the said Instalments shall be increased to any Sum which shall be found necessary or proper.

Lord Lieutenant may advance to the Treasurers of Counties the Sums presented for, to be repaid out of such Instalments.

XVII. And for the more speedy Completion of any such Work, be it enacted, That so soon as such Presentment or Presentments shall be made, or at any Time or Times after making of such Presentment or Presentments, and before the Completion of such Work, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they shall think proper so to do, to cause to be advanced out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, to the Treasurer of such County, County of a City, or County of a Town, on the Faith of such Presentment or Presentments, the whole of the Sum so presented, or so much thereof as shall not have been raised or received at the Time of such Advance, or any Part, Share, or Proportion thereof; such Sum or Sums to be applied by such Treasurer to the Purposes of such Presentment or Presentments, in the same manner in all respects as if the same had been raised by or under the same, and to be repaid by such Treasurer for the Time being to the Collector of Excise of the District, but without Interest, out of such Instalment or Instalments as may be specified at the Time of advancing the same; a Certificate whereof shall be given, without Stamp, by such Treasurer at the Time of receiving such Money.

XVIII. And

Appointment of Commissioners of Works by Grand Juries.

XVIII. And be it further enacted, That when any Presentment shall be made for building, rebuilding, repairing, finishing, altering, or enlarging any Gaol, Bridewell, House of Correction, or other County Prison or Prisons as aforesaid, it shall and may be lawful for the Grand Jury making such Presentment or Presentments, to appoint not less than Six nor more than Twelve Persons to be Commissioners for causing the said Presentment or Presentments to be carried into Execution and Effect, and if they shall not do so, or if any of the Persons so appointed shall die, or shall cease to act as such Commissioner, before such Work shall be completed, then and in every such Case it shall and may be lawful for any succeeding Grand Jury to appoint such Commissioners, or to complete the Number thereof, as the Case may require, or to add to the same, but so as that there shall not at any one Time be more than Twelve such Commissioners; and any Three or more of such Commissioners shall be in all Cases competent to do any Act which the whole of the said Commissioners could or might lawfully do; and that any Three of such Commissioners, duly assembled for the Discharge of any Business, or for the Execution of any Power or Authority of the said Commissioners, shall to all Intents and Purposes be deemed and taken to be such Commissioners, as fully as if all such Commissioners were actually present and concurring in any Act.

Commissioners shall give Notice of Presentment and intended Contract.

XIX. And be it further enacted, That such Commissioners after such Presentment or Presentments made as aforesaid shall give Notice of such Presentment or Presentments having been made, Three Times at least in some public Newspaper circulating in or near such County, County of a City, or County of a Town, of their Intention of contracting with any Person or Persons for building, rebuilding, repairing, finishing, altering, or enlarging any such Gaol, Bridewell, House of Correction, or other Prison or Prisons, or for the laying such Main or Pipe to such Gaol, Bridewell, House of Correction, or other Prison or Prisons as aforesaid, or for doing any Part or Parts of any such Work.

Plan of Building, &c. shall be approved of by Lord Lieutenant.

XX. Provided always, and be it enacted, That nothing in this Act contained shall extend to authorize any such Grand Jury or Grand Juries, or Commissioners appointed by them, and that it shall not be lawful for any Grand Jury, or such Commissioners, to begin to build or rebuild or to alter or enlarge any such Gaol, Bridewell, House of Correction, or other County Prison, until the Plan and Site thereof, and also the Contract or Contracts upon which the same is proposed by the Commissioners to be executed, or Copies or Fac Similies thereof, shall, after having been previously approved of by the Grand Jury, be transmitted to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, together with the Report of the Inspectors General of Prisons, or of One of them, nor until the same shall be agreed to and approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and that it shall not be lawful for the Grand Jury to vary or depart from the Plan, Site, or Contract so agreed to and approved, without the Consent of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

XXI. And

Commissioners empowered to contract.

XXI. And be it further enacted, That it shall and may be lawful for such Commissioners, and they are hereby authorized and empowered, to enter into Contracts for the Execution of any such Work after such Approbation, first by the Grand Jury, and then by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and every such Contract or Contracts shall be made at the most reasonable Price or Prices which shall be proposed by such Contractor or Contractors as shall be deemed by the said Commissioners the most responsible and proper Persons to carry such Contract or Contracts into Execution respectively; and all such Contract or Contracts shall be entered by the Clerk to the said Commissioners in a Book to be kept by the said Commissioners, which Book, when such Works are completed, shall by the said Clerk to the Commissioners be delivered to the respective Clerks of the Peace for the Time being, who are hereby required to keep the same among the Records of the County, County of a City, or County of a Town.

Contractors shall give Security by Recognizance.

XXII. And be it further enacted, That every Contractor with the said Commissioners for any of the Purposes herein-before mentioned shall, before such Contract shall be deemed valid and effectual, give sufficient Security by Recognizance in Double the Amount of the Sum contracted to be paid for such Work, to be approved by the said respective Commissioners, for the due Performance thereof; such Security to be by Bond to His Majesty, His Heirs and Successors, and to be delivered to the Clerk of the Peace for the County, County of a City, or County of a Town, to be kept among the Records thereof respectively.

Renting or purchasing Houses, Grounds, &c.

XXIII. And be it further enacted, That all and every the Grand Juries aforesaid shall have full Power and Authority to rent or purchase any Houses, Buildings, Lands, Tenements, or Hereditaments which may be necessary for the Site of such new Gaol or other Prison or Prisons, or adjoining to such old Gaol or other Prison or Prisons, for the Purpose of enlarging the same, or the Courts or Outlets thereunto belonging, and which shall be mentioned as such in such Presentment, or in any Chart or Schedule annexed thereto; and to direct the Houses, Buildings, Lands, Tenements, and Hereditaments, so rented or purchased, to be conveyed to such Commissioners as the said Grand Jury or Grand Juries shall have so appointed as aforesaid, and to their Heirs, Executors, Administrators, and Assigns, in trust for the Uses and Purposes aforesaid.

All Persons interested empowered to sell.

XXIV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands and Guardians of such Tenants for Life or in Tail, or of Tenants in Fee Simple, Trustees and Feoffees in Trust, Committees, Executors, and Administrators, and all other Trustees or Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be

be seised, possessed, or interested in their own Right, or entitled to Dower or other Interest, and for all other Persons whomsoever who are or shall be seised or possessed of, interested in, or entitled unto any Estate or Interest in any Manner whatsoever, in any Lands, Grounds, Houses, Tenements, Edifices, Erections, or Buildings which by the said Grand Juries respectively shall be thought necessary to be rented or purchased for any of the Purposes of this Act, and so presented as aforesaid, to contract for, and by Deed indented and enrolled to demise, sell, or convey all or any such Lands, Grounds, Houses, Tenements, Edifices, Erections, or Buildings, or any Part thereof, and all the respective Estates and Interests therein, to the said Commissioners, and their Heirs, Executors, Administrators, and Assigns; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which shall be so made by such Persons as aforesaid, shall be good and valid in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whosoever, so contracting, demising, selling, or conveying as aforesaid, are hereby indemnified for or or in respect of any such Sale which he, she, or any of them shall respectively make by virtue or in pursuance of this Act; and such Commissioners, and their Heirs, Executors, Administrators, and Assigns, shall be Trustees of all such Houses, Lands, Tenements, and Hereditaments as shall be conveyed to or vested in them under or by virtue of this Act, for the Purposes herein provided, and no other.

Jury to be summoned in case of Refusal to sell, &c.

XXV. And be it further enacted, That if any Body or Bodies Politic or Corporate, or other Person or Persons having or claiming to have any Estate, Title, Term, or Interest in or to such Lands, Grounds, Houses, Tenements, Edifices, Erections, or Buildings as aforesaid, or any Charge, Lien, or Incumbrance thereon, shall refuse to agree or shall not agree with the said Grand Juries respectively, for the Sale and Conveyance of their respective Rights, Terms, and Interests therein, or shall not produce or evince a clear Title to such Estate, Rights, Titles, Terms, or Interests as they shall or may so claim, or if the said Grand Juries respectively shall be ignorant who are entitled to the same, then and in every or any such Case it shall and may be lawful to and for the said Commissioners, and they are hereby empowered and authorized, from Time to Time to issue a Warrant or Warrants, Precept or Precepts, to the Sheriff of the County, or County of a City or County of a Town, wherein the Lands, Grounds, Tenements, or Hereditaments so to be purchased respectively shall be situate, or to such other proper Sheriff as herein-after is provided; and such Sheriff is hereby authorized, directed, and required accordingly to impannel, summon, and return a competent Number of substantial Persons qualified to serve on Juries, not less than Sixty nor more than Eighty, out of which Persons so to be impannelled, summoned, or returned, a Jury of Twelve Persons shall be drawn by some Person to be by the said Commissioners appointed, in such Manner as Juries for the Trials of Issues joined in His Majesty's Four Courts at *Dublin* are or shall then be by Law directed to be drawn in *Ireland*; which Persons so to be impannelled, summoned

moned, and returned as aforesaid, are hereby required to come and appear before the said Commissioners at such Time and Place as in such Warrant or Warrants or Precept or Precepts shall be directed and appointed (such Time not being less than Seven Days nor more than Fourteen Days after such Warrant or Warrants or Precept or Precepts shall be served upon such Persons), and to attend the said Commissioners till discharged by them; and all Persons concerned shall and may have their lawful Challenges against any of the said Jurymen, but shall not be at liberty to challenge the Array: Provided always, that Fourteen Days Notice at the least, in Writing under the Hands of the said Commissioners, of the Time and Place of any such Jury so being impannelled, summoned, and returned, shall be and is hereby required to be inserted in the *Dublin Gazette*, and also to be given to the Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons interested in any such Land, Ground, Houses, Tenements, Edifices, Erections, or Buildings, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the proper Officer or Officers of such Corporations, at the House or Houses of the Tenant or Tenants in possession of Land, Ground, Houses, Tenements, Edifices, Erections, or Buildings.

Jurymen may be challenged, but not the Array.

XXVI. Provided always, and be it enacted, That if any Prison shall be built or intended to be built within any County of a City or County of a Town, and shall be or shall be intended to be the Prison of any County at large, then and in every such Case the Warrant or Warrants or Precept or Precepts (herein-before directed to be issued by the Commissioners to the Sheriff of the County, County of a City, or County of a Town wherein the Land, Ground, Tenements, or Hereditaments to be purchased shall be situate) shall be directed to the Sheriff of the County to which such Prison shall belong, and the Sheriff of such County shall return a Panel, and a further Panel as aforesaid, if necessary, of his proper County; and such Proceedings being thereon had as herein directed in all other respects, the same shall be as binding and shall have all and every other the same Effects and Consequences as if such Jury Process had gone to the Sheriff in whose Bailiwick such Premises lay.

When County Prison is to be built in a Town, the valuing Jury shall be summoned from the County.

XXVII. And be it further enacted, That in any Case of Trial by Jury before the said Commissioners, where a full Jury shall not appear before them, or where, after the Appearance of a full Jury, it shall so happen, either by means of Challenges or otherwise, that there shall be a Default of Twelve Jurors for such Trial, it shall and may be lawful to and for the said Commissioners to command the Sheriff of the County, County of a City, or County of a Town, to impannel so many other Persons as shall make up a full Jury of Twelve Men, which Persons so to be impannelled shall be added to the former Panel; and all Parties interested in such Trials shall have their Challenges to the Jurors so added to the former Panel, as if they had been originally summoned; and the said Commissioners are hereby authorized and empowered, by Precept or Precepts, from Time to Time as Occasion shall require, to call before them all and every Person and Persons whatsoever who shall be thought

On Default of Twelve Jurors, others to be summoned.

Summoning Witnesses.

thought proper or necessary to be examined as a Witness or Witnesses before them, on their Oath or Oaths, touching or concerning the Premises; and the said Commissioners, if they shall think fit, shall and may likewise authorize and require the said Jury to view the Grounds, Houses, Tenements, or Buildings intended to be valued, and shall have Power to adjourn such Meeting from Day to Day and Place to Place, or to any future Day, as Occasion shall require, and to command such Jury, Witnesses, and Parties to attend until the Business for which they shall be so summoned by virtue of this Act shall be concluded; and the said Jury shall upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners are hereby required and empowered to administer,) fairly, truly, and impartially inquire of the Value of such Grounds, Houses, Tenements, and Buildings, and of the respective Estate, Right, Title, Term, and Interest of every Person or Persons seised or possessed thereof or interested therein, or of or in any Part thereof, and shall assess or award the Sum or Sums to be paid to every such Person or Persons for the Purchase of such their respective Estates, Rights, Titles, Terms, and Interests, and shall and may also inquire, ascertain, and find all and all Manner of Charges and Incumbrances and Liens thereon, and the Amount of the Sum or Sums due thereon respectively, and what Estate and Estates therein are subject to any such Liens or Charge respectively; and the said Commissioners, or any Three or more of them, shall and may give Judgment for such Sum and Sums so to be assessed, as and for the Value of the said several Estates in the said Lands, Tenements, and Hereditaments, and for the Payment thereof respectively, in manner herein-after mentioned; which said Verdict or Verdicts, and the said Judgment, Decree, or Determination thereupon, shall be binding and conclusive to all Intents and Purposes whatsoever, against all Bodies Politic or Corporate, Infants, Lunatics, Idiots, Femes Covert, Tenants for Life or in Tail, and all Persons under any legal Disability whatsoever, and against all and every Person and Persons whomsoever, his, her, or their Heirs, Successors, Executors, Administrators, having or claiming to have or claim any Estate, Right, Trust, Use, or Interest in, to, or out of the said Grounds, Houses, Tenements, Buildings, and Premises, either in Possession or Reversion, Remainder or Expectancy, or in any Manner whatsoever, or in any Charge, Lien, or Incumbrance thereon; which said Verdicts, Judgments, and Decrees, and all other Proceedings of the said Commissioners, and such Judgments to be made, given, and pronounced as aforesaid, shall be fairly written on Parchment, and signed and sealed by the major Part of the said Commissioners who were present and pronounced such Judgments and Decrees; and all Verdicts of the said Juries, and all Judgments, Decrees, Orders, and other Proceedings of the said Commissioners, shall be entered in the Rolls Office of His Majesty's High Court of Chancery in *Ireland*; and the same, or true Copies thereof, shall be deemed and taken to be good Evidence thereof in any Court of Law or Equity whatsoever.

Commissioners may authorize Jury to view Grounds, &c.

Power of Adjournment.

Verdicts shall be final against all Parties.

Judgments to be written on Parchment.

Proceedings to be registered.

Power to enter on Payment or

XXVIII. And be it further enacted, That upon Payment or Tender of such Sum or Sums of Money as shall have been contracted or agreed for between

between the Parties, or determined and adjusted by any Jury in manner respectively herein-before provided, for the Purchase or Rent of any such Lands, Grounds, Houses, Tenements, or other Hereditaments, to the Proprietor or Proprietors of any such Lands, Grounds, Houses, Tenements, or Hereditaments, or to such other Person or Persons as shall be interested therein or entitled to receive such Money in manner herein provided respectively, at any Time after the same shall have been so agreed for or determined; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to such Lands, Grounds, Houses, Tenements, or Hereditaments, to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances of such Lands, Grounds, Houses, Tenements, or Hereditaments which shall be required for the Purposes of this Act, under the Powers and Authorities herein contained, then upon Payment of the said Sum or Sums of Money into the Bank of *Ireland*, as herein-after directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners, and their Agents, Servants, and Workmen, immediately to enter upon and into such Lands, Grounds, Houses, Tenements, and other Hereditaments respectively; and the Fee Simple and Inheritance thereof, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of such Commissioners for the Purposes of this Act; and such Payment or Tender or Investment shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom such Payment or Tender shall or ought to have been made, but shall extend to and be deemed, taken, and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion and Remainder of his, her, and their Issue, and of any and every other Person or Persons whomsoever therein.

Tender of the Purchase Money.

XXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Land, Ground, Houses, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any Disability or Incapacity as herein-before mentioned, such Money shall, in case it shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, to be placed to his Account *ex parte* the said Commissioners, together with the Name or Names of such Person or Persons as any Three of the said Commissioners shall by Writing signed by them appoint; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by any Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of such Lands, Grounds, Houses, Tenements, or Hereditaments,

Application of Purchase Money when amounting to 200*l.* or upwards.

ments, in or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Land, Ground, Houses, Tenements, or Hereditaments, or affecting other Land, Ground, Houses, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the Direction and Approbation of the said Court, in the Purchase of other Land, Ground, Houses, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Land, Ground, Houses, Tenements, and Hereditaments, which shall be purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of any Stocks, Funds, or Annuities transferrable at the Bank of *Ireland*; and in the meantime and until the said Stocks, Funds, or Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of such Stocks, Funds, or Annuities shall from Time to Time be paid, by the Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and above 20*l.*

XXX. And be it further enacted, That if any Money so agreed to be paid for any Land, Ground, Houses, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Land, Ground, Houses, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified by Writing under their respective Hands, be paid into the Bank of *Ireland*, in the Name and with the Privity of the said Accountant General of the Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners, or any Three of them, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

XXXI. And

When under 20*l.*

XXXI. And be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Land, Ground, Houses, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, as the said Commissioners shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out a good Title, &c. the Money to be paid into the Bank.

XXXII. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to any such Land, Ground, Houses, Tenements, or Hereditaments, to the Satisfaction of the said Commissioners, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons so entitled to such Lands, Grounds, Houses, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums so awarded to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Grounds, Houses, Tenements, or Hereditaments [describing such Parties], subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Ireland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is and are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the said Bank as aforesaid.

Where Question shall arise touching the Title to any Money, Persons in possession deemed entitled.

XXXIII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Ireland*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Grounds, Houses, Tenements, or Hereditaments, or of any Estate, Right, or Interest in the Land, Ground, Houses, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Stocks, Funds, or Annuities

to be purchased with any such Money, or to the Dividends or Interest of any such Stocks, Funds, or Annuities, the Person or Persons who shall have been in possession of any such Land, Ground, Houses, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Land, Ground, Houses, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Stocks, Funds, or Annuities to be purchased with such Money, and also the Capital of such Stocks, Funds, or Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Land, Ground, Houses, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may order reasonable Expences of Purchases to be paid by Commissioners.

XXXIV. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Persons, or Corporation, entitled to any Land, Ground, Houses, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Land, Ground, Houses, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof respectively, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Mortgagees not in possession to assign and convey.

XXXV. And be it further enacted, That all and every Person or Persons who shall have any Mortgage or Mortgages upon any Land, Ground, Houses, Tenements, or Hereditaments to be taken or used for the Purposes of this Act, not being in possession thereof by virtue of such Mortgage or Mortgages, shall, on the Tender of the Principal Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Commissioners, or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Commissioners, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners, or from such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on such Mortgage or Mortgages, at the End or Expiration of Six Calendar Months (to be computed from the Day of giving such Notice), then, at the End of such Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall convey, assign, and transfer his, her, or their Interest in the Premises to the said Commissioners;

missioners; and in case such Mortgagee or Mortgagees shall refuse to convey and assign as aforesaid upon such Tender or Payment, then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of the Premises, to be ascertained, settled, and adjusted by a Jury as aforesaid, then the said Commissioners shall not be liable to pay the Mortgagee or Mortgagees more than the real Value of such Premises so ascertained as aforesaid: Provided also, that in case any Mortgagee shall neglect or refuse to convey or assign as aforesaid, then, upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid into the Bank of *Ireland*, at the End of Six Calendar Months from the Day of giving such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, the Cashier or Cashiers of the said Bank shall give a Receipt or Receipts for the said Money in like Manner as herein-before directed in Cases of other Payments into the said Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand of such Mortgagee or Mortgagees, and of all and every Person or Persons in trust for him, her, or them, shall vest in the said Commissioners, and they shall be deemed to be in the actual Possession of the Premises comprised in such Mortgage or Mortgages.

Femes Covert seised in Fee Simple, &c.

XXXVI. And be it further enacted, That in case any Feme Covert is or shall be seised in Fee Simple or in Fee Tail of any such Lands, Tenements, or Hereditaments so to be purchased as aforesaid by the said Commissioners, or of any Interest in the same, or of any Charge, Incumbrance, or Lien thereon, to her separate Use, free from the Controul or intermeddling of her Husband, the Purchase Money to which such Feme Covert shall become or be entitled as aforesaid shall be paid to such Person or Persons as she shall in Writing under her Hand nominate to receive the same, in trust to be re-invested in Lands, Tenements, or Hereditaments to be conveyed as aforesaid, or to be laid out upon landed or other Security, in such Manner as the Court of Chancery shall direct, and settled for such Use, Estate, and Interest as the same Feme Covert had in the Premises so purchased.

Liens shall remain on Premises not conveyed.

XXXVII. Provided nevertheless, and be it enacted, That where any such Charge, Incumbrance, or Lien shall also extend over and be a Charge, Incumbrance, or Lien on any Lands, Tenements, or Hereditaments other than those which shall be so conveyed to or vested in the said Commissioners, then and in such Case neither this Act nor any Conveyance to be made as aforesaid shall in any respect discharge, affect, or alter the Force, Validity, or Effect of such Charge, Incumbrance, or Lien, so far as relates to such other Lands, Tenements, or Hereditaments; but that as to all such the same shall continue to be a good, valid, and subsisting Charge, Incumbrance, and Lien for so much thereof as shall remain unpaid, in the same Manner in all respects as if this Act or any thing done under the same had not existed, but not further or otherwise.

XXXVIII. And

Conveyance enrolled within Six Months to be effectual.

XXXVIII. And be it further enacted, That the Conveyance of any Estate or Interest to the said Commissioners, and their Heirs and Successors, by Bargain and Sale duly enrolled in the Rolls Office of His Majesty's High Court of Chancery in *Ireland*, within Six Calendar Months after making thereof, shall as effectually and absolutely convey the Estate of the Person so conveying as any Fine or Recovery would or could do if levied or suffered in due Form of Law.

Consideration Money and Costs to be paid by Treasurer of County, out of Presentments.

XXXIX. And be it further enacted, That all Sums of Money or other Recompence, Consideration, or Satisfaction, to be paid and made pursuant to any such Agreement or Verdict as aforesaid, and all such Costs, Charges, and Expences as the said Commissioners or their Heirs and Successors, or any of them, shall be at or put to in the Execution of the Trusts and Powers hereby vested in them, shall be paid by the Treasurer of the County, County of a City, or County of a Town, out of the Sums so presented as aforesaid.

Fine on Sheriff, &c. making Default.

XL. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time to impose any reasonable Fine not exceeding Twenty Pounds on any Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs, or Agents respectively, who shall make Default in the Premises, and on any Person or Persons who shall be summoned and returned on any Jury or Juries who shall not appear, and also on any Witness or Witnesses who shall not attend, or shall refuse to be sworn or to give Evidence to the said Commissioners, or to any Jury so impannelled before them, and on any Person or Persons summoned and returned on any such Jury or Juries who shall refuse to be sworn on any such Jury or Juries, or to give his, her, or their Verdict, or shall in any other Manner wilfully avoid or neglect his or their Duty in or touching the Premises; and from Time to Time to levy such Fine or Fines by Order of the said Commissioners, as the Case may require, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner; and all such Fines which shall be so recovered and received shall be applied to the Purposes of such Presentment.

Commissioners of Works to appoint a Clerk.

XLI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any Time or Times hereafter, under their Hands and Seals, to nominate and appoint such Person to be and act as their Clerk, as they shall think fit, for such Matters as may be necessary to be done in the Execution of the Powers and Authorities hereby given to the said Commissioners, provided that no such Clerk shall at any Time be a Commissioner under this Act; and that such Clerk shall from Time to Time be removable and may be removed at the Will and Pleasure of the said Commissioners, by Instrument in Writing under Hand and Seal; and that the said Commissioners shall and may make such Allowance or Salary unto such Clerk, for his Care and Pains in the Execution of his said Office or Offices, out of the Money so presented, as the said Commissioners shall think reasonable, not exceeding in any one Year Twenty Pounds:

Pounds: Provided always, that as soon as the Building or other Work for which such Commissioners shall have been so appointed as aforesaid shall be completed, and the Accounts of the same finally passed, then and in every such Case the Office, Appointments, and Powers of the said Commissioners, and of such Clerks, shall cease and determine.

Sums to be paid in advance to such Commissioner.

XLII. And be it further enacted, That where a Sum not exceeding One hundred Pounds shall be duly presented as aforesaid, for any Addition to any such Gaol, Bridewell, House of Correction, or other Prison, or for making any Alterations or Repairs therein, it shall be lawful for the Grand Jury, at the same or any subsequent Assizes or Presenting Term, to present that such Part of the Sum so presented as they may judge proper shall be paid in advance to the Commissioners so appointed as aforesaid to conduct the Execution of such Works, or any one or more of them, upon his or their entering into a Recognizance before the Court in Double the Sum so to be advanced, conditioned that he or they shall apply the Money so to be advanced for the Purposes for which the same was so presented, and none other; and that he or they shall, at the next and every succeeding Assizes or Presenting Term respectively, justly and fairly account for the same, according to Law, until the whole of such Money shall be finally accounted for, and that he or they, or his or their Heirs, Executors, or Administrators, shall at any Time pay to the Treasurer for the Time being of the said County, County of a City, or County of a Town, any Balance or Part of such Money which shall not by such Accountant appear to have been applied for the Purposes aforesaid.

Commissioners to account before the Grand Jury.

XLIII. And be it further enacted, That such Commissioners shall at every ensuing Assizes or Presenting Term as aforesaid, lay before the Grand Jury and the Court a just and fair Account in Writing of all and every Expenditures of such Money so to be advanced to them, and the particular Purposes for which the same was expended, and the Quantities and Price of each Material bought therewith; and such Account shall be verified by Affidavit in Writing at the Foot thereof, to be made in open Court by One of the said Commissioners, and shall state that the whole of the Money was so expended for the sole Purpose of executing the Work so presented, pursuant to the Presentment thereof; and when any such Work shall be finished, and the Accounts of the said Commissioners approved of and passed by the Grand Jury and the Court, it shall be ordered that all such Recognizances so entered into shall be vacated on the last Day of the next Assizes or Term, and they shall be vacated accordingly, unless upon some sufficient Complaint laid before the Court or the Grand Jury sufficient Cause shall appear to induce the Court to make an Order to the contrary, and provided, if there be any Balance unexpended, a Certificate of the Treasurer of the County, County of a City, or County of a Town, shall be laid before the Grand Jury and the Court, setting forth that he had received the said Balance, and applied it to the Credit of the County, County of a City, or County of a Town.

Commissioners may raise Gravel for the Purposes of this Act.

XLIV. And be it further enacted, That all Commissioners or other Persons duly authorized or employed in or for the building, altering, enlarging, or repairing any Gaol, Bridewell, House of Correction, or other Prison in *Ireland*, or any of the Appurtenances thereof, shall for such Purpose have all and singular the same Powers of raising and carrying away Sand, Gravel, Stones, Earth, or other Materials, as are or shall from Time to Time be given by any Laws or Law in force in *Ireland* to the Overseers of the public Roads, and subject to the same Regulations and Restrictions.

Prisoners to be removed to any new Gaols when built.

XLV. And be it further enacted, That whenever any new Gaol or other Prison so to be built and erected as aforesaid shall be made fit for the Reception and safe keeping of such Prisoners as may be lawfully confined and imprisoned therein, and the said Commissioners, or any Three or more of them, shall give Notice thereof in Writing to the Sheriff or Sheriffs of such County, County of a City, or County of a Town, or to either of such Sheriffs, where there shall be Two, it shall and may be lawful for the said Sheriff or Sheriffs to remove to such new Gaol all such Prisoners as shall be then in custody, who may lawfully be confined and imprisoned therein.

Prisoners to be removed during Repairs, &c. of Prisons.

XLVI. And be it further enacted, That whenever at any Assizes or Term it shall be ordered by the Court of King's Bench, or Judges or Judge of Assize, that the Prisoners confined in any Gaol, Bridewell, House of Correction, or other Prison, or any of them, shall be removed for the Purpose of repairing such Gaol, Bridewell, House of Correction, or other Prison, or of using the Materials thereof in building a new Gaol, Bridewell, House of Correction, or other Prison, pursuant to any Presentment for such Purpose, or whenever on any sudden Accident an Order shall be made by Three Justices of the Peace as aforesaid, for the Repairs of such Gaol, Bridewell, House of Correction, or other Prison, and such Order shall direct the Removal of the Prisoners therein, or any of them, for the Purpose of making such Repairs, then and in any of the said Cases it shall and may be lawful for the Sheriff or Sheriffs of such County, County of a City, or County of a Town, to remove such Prisoners to any Gaol, Bridewell, House of Correction, or other Prison, belonging to such County, County of a City, or County of a Town, or to such other Place or Places as with the Consent of the said Sheriff shall be specified in any such Order, and to confine them during the Time such new Gaol, Bridewell, House of Correction, or other Prison shall be building, or old Gaol, Bridewell, House of Correction, or other Prison repairing; and when any such Gaol, Bridewell, House of Correction or other Prison so under Repairs shall be made fit for the Reception and safe keeping of such Prisoners, and the same shall be certified by the Commissioners thereof, if any, or any Two of them, or by any Three Justices of the Peace of such County, then it shall be lawful for the said Sheriff to remove thither all such Prisoners as shall be then in his Custody, and may lawfully be confined and imprisoned therein; and the Expence of such Removal or Removals in any of the Cases aforesaid, and any Expence the said Sheriff shall be put to, for or by means of the safe Custody of the said

Prisoners, or any of them, in such Gaol, Bridewell, House of Correction, or other Prison to which they may have been removed, for any of the temporary Purposes aforesaid, shall be allowed and paid by such County, County of a City, or County of a Town, by any Presentment to be made for that Purpose at the ensuing Assizes or Presenting Term; and any such Removal or Removals shall not be deemed or taken to be an Escape.

Gaols built, or Additions thereto, shall be deemed Part of the County.

XLVII. And be it further enacted, That when any new Gaol, Bridewell, House of Correction, or other Prison so to be built and erected, for any County, County of a City, or County of a Town, or any old Gaol, Bridewell, House of Correction, or other Prison thereof, which shall require any Addition thereto, shall be situate within the Limits of any other County, County of a City, or County of a Town, then and in every such Case such new Gaol, Bridewell, House of Correction, or other Prison, and all Additions which shall be so made to such old Gaol, Bridewell, House of Correction, or other Prison, together with the Ground whereon the same shall be built respectively, and all Courts, Yards, Outoffices, Buildings, and other Appurtenances thereto belonging, shall, from the Time of receiving Prisoners into such new Gaol, Bridewell, House of Correction, or other Prison, or of completing such Addition, be deemed, taken, and adjudged to be Part of the County, County of a City, or County of a Town, to which such Gaol, Bridewell, House of Correction, or other Prison shall belong, to all Intents and Purposes; and whensoever any Gaol, Bridewell, House of Correction, or other Prison of any County shall cease to be a Prison of such County, County of a City, or County of a Town, and shall be situate within the Limits of any other County, County of a City, or County of a Town, then and in every such Case such Gaol, Bridewell, House of Correction, or other Prison, with all its Appurtenances, shall thenceforth be deemed and taken to be Part of the County, County of a City, or County of a Town, wherein the same shall be so situate, any Charter, Law, or Usage to the contrary thereof in anywise notwithstanding.

When new Gaols are built, old ones to be sold or converted;

XLVIII. And be it further enacted, That after any new Gaol, Bridewell, House of Correction, or other Prison, shall be erected and made fit for the Reception of Prisoners, it shall be lawful for the Grand Jury of the County, County of a City, or County of a Town, at any Assizes or Presenting Term, with the Consent of the Court, to present the old Gaol, Bridewell, House of Correction, or other Prison, or the Ground or Soil thereof, to be sold by public Cant for such Estate or Interest as such County, County of a City, or County of a Town, or any Person or Persons in trust for them, shall have therein, and the Money arising from such Sale shall be paid to the County Treasurer for the Use of the County, County of a City, or County of a Town; or it shall be lawful for the said Grand Jury to present the said old Gaol, Bridewell, House of Correction, or other Prison, to be a Bridewell, Workhouse, House of Industry, or House of Correction, or other Prison of any other Description for the said County; or if such Grand Jury shall see fit so to do, it shall be lawful for such Grand Jury

or the Site may be applied to the

Improvement of the Place.

Jury to give, grant, or convey gratuitously the whole of the Ground or Soil of any such old Gaol, Bridewell, or House of Correction, or any Part or Parts of the same respectively, for the Purpose of widening, opening, or otherwise improving any Street, Way, or Passage, or Streets, Ways, or Passages, in any County or City, Borough or Town, or in any County of a City or County of a Town, within or adjoining which such old Gaol, Bridewell, or House of Correction shall be situate; and if the whole of such Ground or Soil shall not be necessary for such Improvement or Improvements, then to sell or dispose of the Residue thereof in manner herein-before provided.

Where Land has been given for the Site of any old Gaol, without any regular Conveyance, or Conveyances have been lost, &c.

XLIX. And be it further enacted, That whenever it shall appear that Land has been given for the Site of any old Gaol, Bridewell, House of Correction, or other Prison, without regular Conveyance of Title, or that the Deeds of Conveyance have been lost or destroyed, or that by the Decease of Trustees, or Defect of Heirs of the surviving Trustee, or from any other Cause, no Person exists or can be found competent or qualified to convey the legal Title of and in such old Gaol, Bridewell, House of Correction, or other Prison, to any Purchaser, then and in such Case, if the Gaol or Premises to be sold as aforesaid have been used as a Gaol for the Term of Seven Years or more, the Commissioners appointed according to this Act for the Purchase of a new Site for a Gaol, Bridewell, House of Correction, or other Prison, or any other Commissioners, not being less than Six or more than Twelve in Number, whom the Grand Jury shall at any Assizes or Presenting Term appoint for such Purpose, shall be deemed and are hereby constituted legal Owners of the old Gaol, Bridewell, House of Correction, or other Prison, in Fee or Fee Tail, or for such Term or Time as the same was originally granted for, and if no such Grant is known to have existed, then in Fee Simple, upon Trust however to contract with a Purchaser and sell the same, and execute all Deeds and Conveyances necessary for that Purpose, and give a sufficient Receipt for the Purchase Money: Provided always, that such old Gaol, Bridewell, House of Correction, or other Prison shall be sold to the best Bidder, after having been advertised for that Purpose in the *Dublin Gazette*, and in some other Newspaper printed within or near to such County, County of a City, or County of a Town, for Three Months at the least before the Terms of Sale shall be accepted; which Advertisement the Treasurer of the County, County of a City, or County of a Town, shall cause to be inserted and paid for, and for which he shall be repaid with lawful Interest, together with all Costs and Charges, out of the first Monies produced by such Sale; and after deducting such Money, and also the Expence attending the Sale, the Money produced thereby shall be paid to the Treasurer of the County, to be placed to the Credit thereof.

Two or more Counties may unite in building any Gaol, on Application to Lord Lieutenant.

L. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, upon Application from the Grand Juries of any Two or more Counties, Counties of Cities, or Counties of Towns in *Ireland*, to order and direct that such Counties, Counties of Cities, and Counties of Towns, may unite in the building or providing of One Common Gaol,

Gaol, Bridewell, House of Correction, or other Prison, for such Two or more Counties, Counties of Cities, or Counties of Towns; and in any such Case the Gaols, Bridewells, Houses of Correction, or other Prisons of such Two or more Counties, Counties of Cities, or Counties of Towns, shall be deemed to be united and joined,

Gaols of Two or more Counties united may be presented for, either together or separately.

LI. And be it further enacted, That when the Gaols, Bridewells, Houses of Correction, or other Prisons of Two or more Counties, Counties of Cities, or Counties of Towns, shall have been united and joined, it shall and may be lawful to and for the Grand Juries of the said Counties, Counties of Cities, or Counties of Towns, or either of them, to present such Sums as they shall think fit for the building a new Gaol or Gaols, Bridewells, Houses of Correction, or other Prisons, for the said Counties, Counties of Cities, or Counties of Towns respectively, or for either of them, either together or separate, as the said Grand Juries respectively shall think proper, in the same Manner in all respects, and the respective Parts thereof shall be subject to all the same Rules, Conditions and Consequences as if the same were separate.

Lord Lieutenant to appoint Commissioners to superintend Works of the Four Courts, Marshalsea, and Penitentiary Houses.

LII. And be it further enacted, That whenever an Order shall be issued in manner aforesaid to the Board of Works, for the building or enlarging of the Marshalsea of the Four Courts, or any Penitentiary House or Houses as aforesaid, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by Warrant under Hand and Seal, to appoint any Number of Persons, not less than Six nor more than Twelve, to be Commissioners for the Purpose of directing and superintending such Work; and to fill up from Time to Time, in like Manner, all Vacancies that shall occur amongst the said Commissioners, by Death, Resignation, or otherwise; and that the said Commissioners so appointed shall have all and every the like Powers, in all respects, as to making Purchases, impannelling Juries, pronouncing Judgments, and all and every other the Matters and Things aforesaid, and all things done by them, or any other Person or Persons, in pursuance of or under and in obedience to their said Powers, shall be of the like Force, Validity, and Effect, in all respects whatsoever, as concerning the Commissioners appointed by the said Grand Juries, or any Proceedings by or before them, is herein-before enacted.

Judges of King's Bench may order Removal of Prisoners in Marshalsea Courts.

LIII. And be it further enacted, That it shall and may be lawful to and for the Court of King's Bench in Term Time, and to and for any Judge of the said Court in Vacation, either on the finishing of a new Marshalsea of the Four Courts, or on occasion of or for the Purpose of repairing such Prison, or on occasion of any infectious Disorder or sudden Accident, or on or for any other Reason, Purpose, or Occasion which such Court or Judge shall deem to be sufficient, to order that the Prisoners in such Marshalsea, or any one or more of them, shall be removed to any other Prison specified in such Order, there to remain until discharged by due Course of Law, or until removed therefrom by another Order of the like Nature, or remanded to the

said Marshalsea; and any such Removal shall not be deemed to be an Escape.

Lord Lieutenant to appoint Two Inspectors General of Prisons.

LIV. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to nominate and appoint Two fit and proper Persons to be Inspectors General of Prisons in *Ireland*, removable at the Will and Pleasure of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and such Two Persons shall perform all the Duties prescribed for the Inspectors General of Prisons, as directed by this Act.

Counties to be apportioned into Two Circuits, the Prisons of which shall be visited yearly by an Inspector General.

LV. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to apportion the several Counties, Counties of Cities, and Counties of Towns in *Ireland*, into Two Circuits, for the Purposes of this Act; and each of the said Inspectors General shall, Once at least in every Year, go round One of the said Circuits and visit and inspect every Gaol, Bridewell, House of Correction, Penitentiary, or other Prison, and every Madhouse and Place where Lunatics or Idiots are confined, whether the same be a public Establishment or kept for Profit by any private Individual, in or within such Circuit, and shall report upon the State thereof to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* within such One of the said Circuits respectively, and shall go round the said Circuits alternately in each succeeding Year; so that every Gaol, Bridewell, House of Correction, Penitentiary, Madhouse, and other Prison and Place as aforesaid, shall be visited and reported upon by each of the said Inspectors General Once in every Two Years at the least; which Report shall be transmitted to the Chief Secretary of the Lord Lieutenant in *Dublin* prior to the First Day of *February* in each Year, and shall be laid before both Houses of Parliament, and which Reports shall contain a general Statement of the Progress of Prison Discipline in each District, as well as a special Report upon the State of each Gaol, with a List of all Prisons of every Class.

Reports of Inspectors General shall be laid before the Grand Juries at the ensuing Assizes.

LVI. And be it further enacted, That after such Visits respectively each of the said Inspectors General shall deliver to the Secretary to the Grand Jury of each County, County of a City, or County of a Town, a Copy of his Report as to the several Prisons therein respectively, in order that the same may by them be laid before the Grand Juries of the Counties, Counties of Cities, and Counties of Towns, to which such Reports shall relate, at the next ensuing Assizes or Presenting Term; and every such Report shall contain an Account of each and every Gaol, Bridewell, House of Correction, or other Prison, and of every Madhouse and Place where Idiots or Lunatics are confined, within the said Counties, Counties of Cities, and Counties of Towns respectively; and it shall and may be lawful to and for the Collectors of Excise of the District in which the Places for holding the Assizes of such Counties, Counties of Cities, or Counties of Towns as aforesaid, may be situated, to pay, and the said Collector of Excise is hereby required to pay to the Inspector General for the Year, upon his

Allowance for the Report, 20*l.*

making such Report, a Sum of Twenty Pounds, which Sum shall be repaid to the said Collector of Excise by Presentment at the next ensuing Assizes, and the Grand Jury are hereby required to present the same accordingly.

Gaolers shall transmit Returns of the State of the Gaols yearly, in the Form in Schedule (E.)

LVII. And be it further enacted, That on or within Ten Days after the First Day of *January* in each and every Year, the Gaoler or Keeper of every Gaol, Prison, Bridewell, or House of Correction, or other County Prison in *Ireland*, shall make up a Return of the State of such Gaol, Bridewell, House of Correction, or other County Prison under his Charge, for the Year preceding such First Day of *January*, in the Form contained in the Schedule marked (E.) to this Act annexed, and shall transmit the same, or cause the same to be transmitted, to One of the Inspectors General, on or before the Twentieth Day of the said Month of *January*, to be by such Inspector General certified and transmitted, together with his Annual Report, and such Observations as he may judge necessary, to the Office of the Chief Secretary of the Lord Lieutenant in *Dublin*.

Salary to Inspectors.

LVIII. And be it further enacted, That each of the said Inspectors General shall receive such Salary as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall appoint, not exceeding to each the Sum of Nine hundred Pounds in the Year, which Salary shall be payable in quarterly Payments out of the Consolidated Fund of the United Kingdom.

Inspector General to inquire into the Discipline of Prisons, and report to Lord Lieutenant, &c.

LIX. And be it further enacted, That it shall and may be lawful for the said Inspectors General, or either of them, from Time to Time, whenever and so often as they shall see fit, to visit any Gaol, Bridewell, Madhouse, Marshalsea, or other Prison in *Ireland*, and to examine concerning the due Performance of the Rules and Regulations prescribed and required to be observed therein respectively, and also concerning all Matters connected with the Expenditure, Discipline, or Regularity thereof respectively, and to examine on Oath all Persons concerned therein, or holding any Office or Emolument therein, and also all other Persons whom they shall think proper so to examine touching any Matters concerning any such Gaol, Bridewell, or other Prison; and it shall and may be lawful for either of the said Inspectors General, and they are hereby severally empowered and required to report thereupon to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or to the Court of King's Bench, or Judges of Assize, whenever they shall see Occasion so to do.

Inspector General making false Returns to lose Office.

LX. And be it further enacted, That if any Inspector General of Prisons in *Ireland* shall, in any Report or Return required to be made by him, knowingly state any thing false, he shall be thenceforth incapable to hold the said Office, and shall lose and forfeit the same.

Penalty on obstructing Inspectors in visiting Madhouses, &c.

LXI. And be it further enacted, That the said Inspectors General of Prisons shall have Power, and they are hereby required to visit and inspect, as often as they shall think fit, all Madhouses and Places where Idiots or Lunatics are confined, whether the same shall be any public Establishment

Establishment or kept for Profit by any private Individual, as well as all Gaols and Prisons throughout *Ireland;* and if any Person or Persons shall hinder, molest, or prevent any such Inspector General from visiting and inspecting any of the said Places of Confinement, such Person or Persons being duly convicted thereof before any Two Magistrates or Justices of the Peace in the County, County of a City, or County of a Town where such Hindrance shall have been made, shall for every such Offence be fined in any Sum not exceeding Twenty Pounds, at the Discretion of such Magistrates, and so *toties quoties* for every new Hindrance after such Conviction; and upon Nonpayment of the same, such Person so convicted shall, by the Warrant of such Magistrates, be imprisoned in the Common Gaol of the County, County of a City, or County of a Town, for Six Calendar Months, unless such Fine be sooner paid.

Book to be kept in each Prison in which any of the Board of Superintendence and Inspector, &c. shall enter Observations.

LXII. And be it further enacted, That in every Gaol, House of Correction, Marshalsea, Bridewell, Sheriffs Prison, and other Prison throughout *Ireland*, a Book shall be kept, and constantly remain therein, in order that any Member of the Board of Superintendence appointed under this Act, and also the Local Inspector thereof, or either of the said Inspectors General, shall and may from Time to Time make and enter therein such Observations as they shall respectively think fit; and every Inspector, Chaplain, Surgeon, Physician, Apothecary, or other Officer, attending on or required to attend on such Prison, shall in his Turn insert in such Book, in his own Handwriting, his Name, and the Date of such Visit and Duty performed; and every Keeper of every such Prison shall be responsible for the safe Custody of such Book, and shall at all Times, when required so to do, produce the same for Inspection to the Grand Jury or Board of Superintendence, or any Member thereof respectively, without Fee or Reward.

Books to be produced for Inspection.

Penalty on taking any Fee for Appointment of Gaolers, &c. 500*l.*

LXIII. And be it further enacted, That no Person or Persons, Body or Bodies Corporate or Politic, shall by themselves, or any other Person in trust for them, give, take, or receive, or offer to give, take, or receive, any Fee, Money, or Gratuity, or other valuable or beneficial Consideration whatsoever, or any Promise thereof, for or in respect of the Appointment, Nomination, or Recommendation of any Person or Persons whatsoever, to be Keeper of any Prison in *Ireland*, or to hold any Office under such Keeper, or knowingly appoint, or cause to be appointed, any Person or Persons to such Office, for or in respect of any Fee, Money, Gratuity, or other valuable Consideration whatever, given or promised to any Person or Persons whatsoever, for or in respect of such Appointment, or to the obtaining of such Office; and each and every Person so offending shall forfeit the Sum or Penalty of Five hundred Pounds, together with Double the Sum so given as aforesaid; one Moiety of such Forfeiture to be paid to the King, and the other Moiety to the Informer who shall by Bill, Plaint, or Information, in any of His Majesty's superior Courts of Record in *Dublin*, first sue for the same.

LXIV. And

Grand Juries to appoint or alter the Salaries to Gaolers.

LXIV. And be it further enacted, That the several Grand Juries at the Presenting Terms in the County of *Dublin* and County of the City of *Dublin*, and at the Assizes in all other Counties, Counties of Cities, and Counties of Towns in *Ireland*, are hereby empowered and authorized to appoint such Salaries and Allowances to the several Keepers of Gaols in their respective Counties, Counties of Cities, and Counties of Towns, and to their Turnkeys or other Assistants, as they shall think proper, and to alter the same from Time to Time as they shall see Occasion, and to direct such Salaries and Allowances to be paid by the Treasurer of such Counties, Counties of Cities, and Counties of Towns respectively, under the Direction of the Board of Superintendence appointed under this Act; all such Salaries and Allowances to be raised by Presentment on the said Counties, Counties of Cities, and Counties of Towns respectively: Provided always, that no Keeper of a Prison, or his Turnkeys or Assistants, shall be entitled to receive such Salary or Allowance unless he shall prove to the Satisfaction of the Grand Jury that he hath complied with all and every of the Rules and Regulations which shall from Time to Time be provided by or under this or any other Act or Acts of Parliament, or by any lawful Authority whatsoever, for the Regulation of such Prison, or for the Conduct of the Keepers thereof.

Local Inspectors to be appointed by Grand Juries.

LXV. And be it further enacted, That it shall and may be lawful for each and every Grand Jury of every County, County of a City, and County of a Town in *Ireland*, with the Consent and Approbation of the Court or Judge at each Assizes and Presenting Term, from Time to Time to appoint a Local Inspector for such County, County of a City, or County of a Town respectively, (such Inspector to be removable by the Grand Jury of such County, County of a City, or County of a Town for the Time being, with the Approbation of the next going Judge of Assize,) to regulate, under the Direction of the Board of Superintendence appointed under this Act, and in the City of *Dublin* under the Direction of the Grand Jury, the procuring and providing of Food and Necessaries for the Prisoners in the Gaol; and every such Inspector shall be required to observe the several Prison Regulations herein-after contained, as likewise all other Prison Regulations appointed by any competent Authority under this Act, affecting such County, County of a City, or County of a Town, or any one or more Prison or Prisons therein, and to see the same carried into effect.

Grand Juries to present a reasonable Sum as Salary for such Inspectors.

LXVI. And be it further enacted, That it shall and may be lawful for all Grand Juries in *Ireland*, at any Assizes or Presenting Term respectively after such Appointment, to present a reasonable Sum to be paid to every such Local Inspector appointed as aforesaid, as a Recompence for the Care and Attendance necessary in the Execution of the several Duties of such Office respectively, which Local Inspector shall reside within a reasonable Distance of the County Gaol of his County, County of a City, or County of a Town.

Clerk of the Crown to make Return

LXVII. And be it further enacted, That it shall and may be lawful for the Clerk of the Crown, and he is hereby required, at each Assizes and

of Prisoners to the Inspectors.

and General Gaol Delivery in every County, County of a City, and County of a Town in *Ireland*, and at every Special Commission of Oyer and Terminer and Gaol Delivery therein, and at every Term or Session of the Commission of Oyer and Terminer and Gaol Delivery for the County of *Dublin* or for the County of the City of *Dublin*, and the Clerk of the Peace is also hereby required at Quarter Sessions to furnish the Inspector of Prisons for the Time being of every such County, County of a City, and County of a Town, with a complete Schedule of the several Prisoners brought to Trial at such Assizes and General Gaol Delivery, and at such Special Commission, and at each and every Term or Session of the Commission of the County of *Dublin*, or the County of the City of *Dublin* respectively, and at each and every Quarter Session, specifying the particular Crime of which each Prisoner was accused, and stating the Sentence of the Judge on each Trial, and whether the said several Sentences have been executed respectively, or whether the Whole or any and what Part or Parts of them have been remitted; and the several Inspectors of Prisons are hereby required, according to a Form to be furnished to them by the Inspectors General of Prisons annually, to make a general Statement from such Returns for the whole Year, and to transmit the same to the said Inspector General of Prisons, within Ten Days after the First Day of *January* in each Year, transmitting with such annual Statement the original Returns from which it has been made.

Annual Return to be made by Inspectors.

Appointment of Chaplains to County Gaols.

LXVIII. And be it further enacted, That it shall and may be lawful for each and every Grand Jury in *Ireland*, and they are hereby required at any Assizes or Presenting Term, to appoint a proper and discreet Person, being duly ordained in Holy Orders and of the Established Church, to be Chaplain of the several Gaols of and in their respective Counties, Counties of Cities, and Counties of Towns; and it shall and may be lawful for every such Grand Jury, if they shall be so required by the Court, also to appoint a proper and discreet Person, being a Protestant dissenting Minister, to be Protestant dissenting Chaplain thereof; and also if they shall be so required by the Court, to appoint a Priest or Clergyman of the Roman Catholic Church, to be Roman Catholic Chaplain thereof: Provided always, that every Person so appointed shall be approved of by the Court, and that where there is only one Gaol of such County, County of a City, or County of a Town, in the Appointment of such Chaplain Preference shall be given to some Clergyman of the Established Church officiating within the Parish in which the Gaol shall be situated, if duly qualified; and in like Manner to some Protestant dissenting Minister, and some Clergyman of the Roman Catholic Church, if duly qualified, acting as such within the said Parish.

Duty of Chaplains.

LXIX. And be it further enacted, That every such Chaplain shall read Prayers in the said Gaol for which he shall be appointed on every *Sunday* in the Year; to wit, the Protestant Chaplain of the Established Church to such of the Prisoners as shall be Protestants of the Established Church, and the Protestant dissenting Minister to such of the Prisoners who shall be Protestant Dissenters, and the Roman Catholic Chaplain to such of the Prisoners as shall be Roman Catholics; and that

that every such Chaplain shall likewise visit each of the said Prisons Twice at least in every Week, exclusive of his Attendance on *Sunday*; that on such Visits he shall go into every Room and Cell in the Prison wherein any Prisoner so within his Charge shall be confined, and converse with and exhort such of the said Prisoners respectively as are willing to listen to his Admonitions; and that each of the said Chaplains shall attend every Malefactor in their respective Prisons who shall be within his Charge as aforesaid, or who may desire his Assistance, previous to and down to the Time of his Execution, in order to administer to such Prisoner or Prisoners the Functions of his holy Office; and that every such Chaplain shall by alternate Weeks, on the Days appointed for the Delivery of Provisions or serving the same to the Prisoners, inspect in his Turn the Bread or other Provisions provided for any Prisoner of whatsoever Religion, and take care that the same are of good and wholesome Quality, and of sufficient Weight; and every such Chaplain shall keep a Journal in which he shall enter the Time of his Attendance on the Performance of his Duty, with any Observations which may occur to him in the Execution thereof, to be produced when required to the Board of Superintendence.

Salaries to Chaplains.

LXX. And be it further enacted, That it shall and may be lawful for the Grand Jury, at the Spring Assizes and *Easter* Term in every Year after such Appointment, to present a reasonable Sum, not exceeding the Sum of One hundred Pounds and not being less than Fifty Pounds in the County and County of the City of *Dublin*, and not exceeding Fifty Pounds nor being less than Thirty Pounds within any other County or County of a City or County of a Town in *Ireland*, for every such Chaplain, as a Recompence for his Services aforesaid; provided it shall fully appear to said Grand Juries respectively, and to the Court or Judge, that such Chaplains duly and regularly executed the several Duties of their said Offices respectively; and that the Sums presented for all the Chaplains aforesaid in one Prison or District shall be of the same Amount, unless the Share, or any Part of the Share of either, shall at any Time be withheld by reason of any Misconduct or Neglect of Duty.

Where there are more than Two Gaols in any County, &c. more than One Chaplain may be appointed.

LXXI. Provided always, and be it enacted, That in any Case where it shall happen that there shall be more than Two Gaols of and within any County, County of a City, or County of a Town, it shall be lawful for the Grand Jury of such County, County of a City, or County of a Town, on the Direction of the Court, to appoint more than One Chaplain for the same: Provided always, that the whole Sum to be given as a Salary or Salaries to any Number of Chaplains shall not exceed the Amount of Salary authorized to be paid to any one Chaplain as aforesaid; and that a Preference shall be given in the Appointment of such Chaplains to the Clergy ordinarily officiating in the several Parishes within which such Gaols may be respectively situated, if properly qualified.

Appointment of Surgeon.

LXXII. And be it further enacted, That the Grand Jury of every County, County of a City, or County of a Town, shall and they

are hereby required from Time to Time to appoint a Surgeon, being a Member of one of the Royal Colleges of Surgeons, or a Physician, being a Member or Licentiate of one of the Royal Colleges of Physicians, to the Prisons within their Jurisdiction; and every such Surgeon or Physician, as the Case may be, shall and is hereby required to visit every Prison to which he shall be so appointed, Twice at least in every Week, and oftener if necessary, and to see every sick Person confined therein, whether Criminal or Debtor, and to examine the Condition of the Hospital, and the State of Health of the Prisoners under his Care; and he shall further keep a Journal, in which he shall enter the Date of every Attendance on the Performance of his Duty, with any Observations that may occur to him in the Execution thereof, and shall sign the same with his Name; and such Journal shall be kept in the Prison, and shall regularly be laid before the Board of Superintendence at their Meetings, and before the Grand Jury at every Assize and Presenting Term; and it shall and may be lawful for the Grand Jury, at every Assizes or Presenting Term after such Appointment, to present a Salary to such Surgeon or Physician; and such Surgeon or Physician shall be required at every Visit to prescribe for all Prisoners who stand in need thereof, and shall order such Sustenance and other Articles as may be necessary; which Sustenance and other Articles shall be provided by the Local Inspector, or in such other Manner as the Grand Jury or Board of Superintendence appointed under this Act shall direct and appoint: Provided nevertheless, that nothing herein contained shall prevent the Continuance in Office of any Medical Attendant appointed before the passing of this Act, or of any Physician appointed jointly with a Surgeon before the passing of this Act: Provided always, that it shall and may be lawful for the Grand Jury of the County of the City of *Dublin*, in which more extensive Medical Attendance has been found to be necessary, to appoint, with the Approbation of the Court, a regularly bred Physician in addition to a Surgeon; and such Physician shall, together with such Surgeon, discharge the Duties herein required of any Surgeon or Physician to be appointed under this Act; and it shall and may be lawful for the Grand Jury aforesaid, at every Presenting Term after such Appointment, to present a reasonable Sum to be paid as a Salary to such Physician.

Journal to be kept by him.

In Dublin, a Physician may be appointed.

Appointing Apothecaries.

LXXIII. And be it further enacted, That it shall and may be lawful for each and every Grand Jury respectively as aforesaid, and they are hereby required, to appoint an Apothecary, and it shall be the Duty of every such Apothecary to execute every Order of such Surgeon or Physician.

How Medicines and other Articles for the Sick shall be furnished and paid for.

LXXIV. And be it further enacted, That each and every of the said Apothecaries shall, if required, provide all Medicines and other Articles necessary for the Sick, and shall keep an Account, stating fully and particularly the different Articles supplied; and it shall and may be lawful for the Grand Jury at each Assizes and Presenting Term, to present a reasonable Sum to be paid to such Apothecary, for and on account of the Medicines so furnished, at a Price not exceeding the Rates authorized by the Governor and Directors of the

Apothecaries Hall in *Dublin:* Provided always, that the Grand Jury or Board of Superintendence shall be empowered, in Cases in which it shall seem expedient so to do, to procure Medicines and Drugs from Apothecaries Hall in *Dublin;* and it shall and may be lawful for the Grand Jury to present a reasonable Salary to such Apothecary, as a Compensation for his Attendance and Trouble in providing or preparing Medicines for the Sick: Provided also, that the Salaries presented for such Surgeon or Physician and Apothecary shall not exceed the Sum to which the Total Amount of Salaries to the Medical Officers of the Gaol are or may be limited by Law; and provided that no Apothecary who shall be appointed at any Time after the passing of this Act, who shall provide such Medicines as aforesaid on his own Account, shall in any Case act as Surgeon or Physician to any Gaol.

For supply of Vacancies of Local Inspectors, Chaplain, Surgeon, and Apothecary.

LXXV. Provided always, and be it enacted, That if any of the said Offices of Inspector, Chaplain, Surgeon, Physician, or Apothecary, on the Appointment of the Grand Jury, shall become vacant between Two Assizes or Presenting Terms respectively, then and in every such Case it shall and may be lawful for the Board of Superintendence appointed under this Act (or for the Sheriff of the County of the City of *Dublin* there) to appoint a new Officer to fill such Vacancy respectively; and such new Officer so appointed shall hold and exercise the said Office until a new Appointment shall be made thereto as aforesaid, as fully and effectually in all respects, and with all the same Rights, Powers, and Advantages, as if he had been duly appointed thereto as aforesaid; and that no Officer shall hold any Two Offices in any Gaol or other Prison, save and except that the same Person may be appointed to the Office of Local Inspector and Chaplain: And provided, that nothing in this Act shall be construed to prevent any Officer holding Two Offices at the Time of the passing of this Act from continuing to hold the same.

Presentments for Fuel, Prison Dresses, Beds, &c.

LXXVI. And be it further enacted, That it shall and may be lawful for the several Grand Juries, and they are hereby required, at every Assizes and Presenting Term, to present such Sum and Sums of Money as may be requisite for the Purpose of providing Food, Fuel, Prison Dresses, Iron Bedsteads, Bed Tickens, Straw, Blankets, and Bed Clothes, for all Prisoners who shall be confined in any Gaol, Bridewell, House of Correction, or other County Prison of their respective Counties, Counties of Cities, and Counties of Towns, and shall stand in need of such Assistance, as likewise suitable Furniture for the Day Rooms, and other necessary petty Expences of the same, and Utensils for cleaning the Gaol: And that the several Sums before mentioned to be presented for the Purposes of providing Food, Fuel, Prison Dresses, Iron Bedsteads, Bed Tickens and Blankets, Bed Clothes, and Straw, for Prisoners, Furniture and Utensils as aforesaid, shall be paid into the Hands of any Person or Persons (not being a Grand Juror or Member of the Board of Superintendence, nor being an Inspector, Chaplain, Physician, Surgeon, or Apothecary under this Act, nor being the Keeper of any Prison), who shall or may have contracted with any Grand Jury, Board of Superintendence, or any

Monies presented for such Purposes to be paid to Contractors.

Inspector or other Person appointed by them, in any such Gaol, Bridewell, House of Correction, or other Prison, for the Supply of such Food, Fuel, and other Matters respectively, or who may have supplied the same.

Expences of poor Prisoners shall be raised by Presentment.

LXXVII. And be it further enacted, That the Money required for the Payment of any Person or Persons who shall supply or shall contract to supply any such Food or other Necessaries, Articles, Matters, or Things respectively, for the Use of such poor Prisoners, shall be raised and levied in every County, County of a City, or County of a Town throughout *Ireland*, by Presentment of the Grand Jury.

Bedding and Prison Dresses.

LXXVIII. And be it further enacted, That the Bedding to be allowed to poor Prisoners shall consist of One Ticken for Straw and Three single Blankets to each Bed; and that the Prison Dresses shall consist of a Cap, a Jacket, One Shirt, Waistcoat, Trowsers, and Shoes to Men; and a suitable Dress to Female Prisoners, with Shoes.

Contractors, &c. to account on Oath.

LXXIX. And be it further enacted, That all and every Sum and Sums of Money which shall be presented by any Grand Jury, in Payment of any Contract, shall be accounted for on Oath, in open Court, by the Persons making such Contract.

Contracts for Food, &c. shall be made with the Clerk of the Peace.

LXXX. And be it further enacted, That all Contracts for Supply of Food or other Necessaries for the Use of the Gaol, when approved of by the proper Authority, shall be entered into by such Contractors with the Clerk of the Peace in the several Counties, Counties of Cities, and Counties of Towns respectively; and that it shall and may be lawful for any such Clerk of the Peace, under the Direction of the Grand Jury, to sue for a Breach of any such Contract.

Penalty on GrandJurors, Inspectors, &c. being concerned in Contracts, 500*l.*

LXXXI. And be it further enacted, That if any Grand Juror or any Member of any such Board of Superintendence as aforesaid, or any Inspector, Chaplain, Physician, Surgeon, or Apothecary, or any Keeper of any Gaol, Bridewell, House of Correction, or other Prison, shall contract to provide or supply any such Bread, Meal, Potatoes, or other Food, or any Straw, Fuel, Prison Dresses, Bedsteads, Bed Tickens, Blankets, Bed Clothes, or other Necessaries for Prisoners under his Inspection or Charge, contrary to the Provisions of this Act, or shall supply the same otherwise than in the Performance of his Duty under this Act; or shall directly or indirectly derive or receive any Profit or Emolument whatever from any Bread, Meal, Potatoes, or other Food, or any Straw, Fuel, Prison Dresses, Bedsteads, Bed Tickens, Blankets, Bed Clothes, or other Necessaries provided for such Prisoners, which shall be supplied for the Purposes of this Act, every Person so offending shall for every such Offence forfeit the Sum of Five hundred Pounds, to be recovered by any Person who shall sue for the same, by any Action, Suit, Bill, or Plaint, in any of His Majesty's superior Courts of Record in *Dublin*, wherein no Essoign, Protection, or Wager of Law, shall be allowed, nor any more than One Imparlance.

Poor Prisoners shall be supplied with Food and Necessaries at the public Expence only.

LXXXII. And be it further enacted, That any Prisoner, of whatever Description, in any Prison whatsoever in *Ireland*, who shall not be of sufficient Ability to procure Food and other Necessaries, shall be supplied, in manner herein mentioned respectively, with such Food and Necessaries at the public Expence; and every such Prisoner, as long as he shall be so supplied, shall be deemed and taken to be a poor Prisoner within the Meaning of this Act, and shall be subject as such to all Rules and Regulations herein-after provided in that Behalf; and it shall not be lawful for any such Prisoner who shall be so supplied at the public Expence to accept or receive any Food or Liquor, other than such as shall be supplied under this Act; and if any such Prisoner shall accept any Food or Liquor contrary to this Act, such Prisoner shall no longer be supplied at the public Expence, and shall thereupon cease to be deemed and taken to be a poor Prisoner within the Meaning of this Act.

The Court may order Creditors to pay any Sum not exceeding 2*s.* 6*d.* per Week to Persons in Prison for less than 10*l.*

On Failure, Debtor to be discharged.

LXXXIII. Provided always, and be it enacted, That in all Cases where any Person shall be confined or detained in any Prison at the Suit of any Creditor or Creditors, for any Debt less than the Sum of Ten Pounds, it shall be lawful for the Court under Process from which such Debtor shall be detained, on the Application of such Debtor, in case such Court shall think right under the Circumstances of the Case so to do, to order the Creditor or Creditors, at whose Suit such Debtor shall be confined or imprisoned, to pay to such Debtor such Sum or Sums, not exceeding the Rate of Two Shillings and Sixpence by the Week in the whole, at such Times and in such Manner as the said Court shall direct; and that on Failure of Payment thereof as directed by such Court, such Debtor shall forthwith be discharged from Custody at the Suit of the Creditor or Creditors failing to pay the same.

Inspectors General shall prepare Dietary Table for poor Prisoners, to be approved by the Judges of the King's Bench;

and hung up in the Hall of the Prison.

LXXXIV. And be it further enacted, That either of the Inspectors General of Prisons to be appointed under this Act shall make out a regular Dietary Table for each Gaol, Bridewell, House of Correction, or other County Prison in *Ireland*, setting forth the Quantities and Description of Food for each and every Day during the Week, to be allowed *per* Head to all poor Persons therein; which Dietary Table, so prepared for each Prison respectively, shall be submitted to the Judges of His Majesty's Court of King's Bench in *Dublin*, in order that such Table may be approved, or may be altered or amended, as such Judges shall think fit; and every such Dietary Table, when approved of by such Judges, shall be adopted and strictly adhered to in such Prisons, until a new Dietary Table shall be appointed; and a Copy of every such Dietary Table shall be placed by the Local Inspector of each Prison in some conspicuous Part of the Common Hall in every such Prison within his Inspection; and according to such Table, Provisions shall be procured for and distributed to all poor Persons in such Prisons respectively.

Dietary Table may be altered.

LXXXV. And be it further enacted, That it shall and may be lawful for either of the Inspectors General of Prisons to alter or vary such

such Dietary Table from Time to Time for the Prisons in general, or any particular Prison, subject to the Approbation of the said Judges of His Majesty's Court of King's Bench in *Dublin*, and thereupon such Table when so altered and approved shall be forthwith copied out by the said Local Inspector, and set up in the Place of any former Dietary Table, to be in every respect pursued and abided by until such Table shall be again duly altered as aforesaid.

Accounts of Provisions, and other Allowances, to be kept in Form required by Schedule (A.)

LXXXVI. And whereas it will be advantageous to Prisoners, that a regulated System of Accounts of Provisions, and fixed Proportions of Fuel and other Allowances, should be established; be it therefore enacted, That a Book shall be kept in the Gaol of every County, County of a City, or County of a Town in *Ireland*, according to the Form in the Schedule marked (A.) to this Act annexed, or in some Form to be approved of by the Judges of His Majesty's Court of King's Bench in *Dublin*, and shall contain an accurate daily Account of the Number of Persons confined within the Gaol, together with an Account of the several Articles of Food, Fuel, or other Allowances issued to each Class within the Prison during the Day; and such Book shall be compared with the Pass Books of each Contractor respectively, prior to any Payments made to any such Contractor, and shall be closed prior to every Assizes, in order that the Accounts may be examined by the Grand Jury of such County, County of a City, or County of a Town, in order to ascertain that the Articles are issued in due Proportions, as by Law established; and such Grand Jury shall thereupon make Presentment of a sufficient Sum for the Payment of the Amount.

Inspectors General to regulate the Establishment of each Gaol; and order the Supply of Dresses, Beds, &c.

LXXXVII. And whereas it appears that in many Gaols the poor Prisoners are not supplied with Prison Dresses, Bedding, and other Necessaries, and that no Limit is assigned to each Gaol, in respect to the Number of such Articles to be supplied in such Gaols respectively; be it therefore enacted, That it shall and may be lawful for either of the Inspectors General of Prisons to be appointed under this Act, with the Approbation of the Judges of His Majesty's Court of King's Bench in *Dublin*, or any one or more of them, to regulate and determine the Establishment at which such Gaol, Bridewell, or other Prison shall be rated in respect to its Complement of Prisoners; and that it shall and may be lawful for any of the said Inspectors General of Prisons, at his or their annual Inspection of each Prison, to ascertain the Deficiencies of the said Prison Dresses, Beds, Bedding, and other Articles, and to order a Supply of the same, and that the said Articles shall be preserved in the Stores of the Prison, to be issued to such Prisoners as shall be entitled thereto; and it shall and may be lawful for the Local Inspector or any other Officer of such Prison, by Order of the Inspector General, or of either of them, to present to the Collector of Excise of the District in which such Prison is situate an Account of the Expence incurred by such Supplies of Deficiencies, certified by One of the Inspectors General of Prisons, according to the Forms in the Schedules marked (B.) and (C.), annexed to this Act, or in any similar Forms respectively approved by the Judges of His Majesty's Court

Accounts of Expences to be presented to the Collector of Excise, who shall pay the same.

Court of King's Bench in *Dublin;* and such Collector of Excise is hereby required to administer an Oath to such Local Inspector, or other Gaol Officer, of the Accuracy of such Account; and such Collector of Excise shall thereupon pay to the said Local Inspector or other Officer the Amount of such Account out of any Public Monies in the Hands of such Collector of Excise; and the Grand Jury of such County, County of a City, or County of a Town, shall and are hereby required to make Presentment to the said Collector of Excise of the Amount of such Payments at the next succeeding Assizes.

Grand Juries may appoint Matrons, &c. for Gaols, to be paid by Presentment.

LXXXVIII. And be it further enacted, That it shall and may be lawful to and for every Grand Jury in *Ireland*, at any Assizes or Presenting Term respectively, and they are hereby required to appoint a Matron, and such inferior Female Attendant or Attendants as they shall deem necessary, for any County Prison within their respective Counties; and every such Matron and Attendant shall be paid such Salary as shall from Time to Time be fixed or agreed on by the Grand Jury, with the Approbation of the Court for that Purpose; the same to be raised by Presentment on the County, County of a City, or County of a Town.

Grand Juries to set apart Houses of Correction in Prisons, and appoint Keepers thereof.

LXXXIX. And be it further enacted, That it shall and may be lawful to and for the Grand Jury of any County, County of a City, or County of a Town in *Ireland*, if they shall see fit, by their Order to appoint and appropriate such Part or Parts of the Gaol thereof, or such Building or Buildings contiguous or adjoining thereto, as such Grand Jury shall think fit, to be a House or Houses of Correction for the Custody and Punishment of convicted Prisoners; and it shall and may be lawful for any Grand Jury in every such Case to appoint a Keeper or Governor of such House of Correction, with such Salary as to such Grand Jury shall seem meet; and every such Keeper or Governor of such House of Correction shall be subject and liable to, and shall obey and comply with all the Rules and Regulations prescribed for Gaolers: Provided always, that nothing in this Act contained shall be construed to extend to prevent the Governor or Keeper of the House of Correction in any County, County of a City, or County of a Town, from being the Keeper or Governor of the Common Gaol: Provided also, that the Sheriff shall not be answerable for the safe Custody of any Person who, in pursuance of any such Order, shall from Time to Time be removed to, committed to, or detained in any Part of such Gaol, or any united or contiguous Buildings so ascertained and declared to be the House of Correction as aforesaid.

Proviso for Sheriffs.

Lord Lieutenant may discontinue Bridewells.

XC. And whereas many Bridewells now existing in various Parts of *Ireland* are unnecessary, and destitute of the Accommodation required, as well in the Construction as in the Management thereof; and some Bridewells of the largest Class are rendered useless by the immediate Transmission of all Prisoners to the County Gaols, often to the inconvenient crowding of the same, and many such Bridewells are unprovided with the Furniture and Supplies required for Prisoners

soners according to Law; be it therefore enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time, by Warrant to be published in the *Dublin Gazette*, to order that any Bridewells shall be discontinued, and shall no longer be used as a Bridewell or Prison; and that from and after such Day as shall be named in such Warrant in that respect, it shall not be lawful to imprison or confine any Person therein, under any Order or Authority, or on any Pretext whatsoever; any Law, Usage, or Custom to the contrary notwithstanding.

Grand Jury shall present for building of Bridewells in Towns where Sessions are held.

XCI. And be it further enacted, That it shall and may be lawful o and for each and every Grand Jury in *Ireland*, at the respective Assizes, and they are hereby respectively required to make Presentments for the building one Bridewell of competent Size in each and every Town within their respective Counties which shall be duly appointed for holding Quarter Sessions, and also in such other Town or Towns in the said Counties respectively as shall from Time to Time be appointed or directed for that Purpose by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by Warrant under Hand and Seal.

District Bridewells appointed.

XCII. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to direct that such Bridewells as shall be continued shall be divided into Two Classes; and that One Class of the said Bridewells to be selected and appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, shall be denominated District Bridewells, to each of which Bridewells a certain District within the County shall be allotted; and that all Prisoners committed within such District, either for Trial at or under Sentence passed by the Court of Quarter Sessions, shall be kept and remain in such District Bridewell, and shall not be transmitted to the County Gaol, unless some Order to that Effect shall be made by competent Authority; and it shall and may be lawful, in the Event of a crowded State of the County Gaol, on the Report of the Local Inspector thereof, for the Keeper of any such District Bridewell to detain therein any Prisoner committed for Trial at the Assizes for the County, until within a reasonable Time prior to the Assizes: Provided always, that in case of Imprisonment for a Period exceeding Four Months, or in any Case in which it shall appear to the Court to be necessary, it shall and may be lawful, by the Order and at the Discretion of the Court by whom Judgment shall be passed, to send any Prisoner to the County Gaol or House of Correction; and provided that no Persons committed for Debt shall be confined in any such Bridewell; and it shall and may be lawful for the Grand Jury of any County in which a District Bridewell is or shall be appointed, to present any reasonable Sum for the medical and other necessary Expences attending the Support and Maintenance of the same.

Inspection of Bridewells distant more

XCIII. And whereas many Bridewells are situate at so great a Distance from the Gaol of the County, that it is impossible that

any Benefit can be derived to any such Bridewells from the Inspectors and other Officers of such Gaols respectively; be it enacted, That the officiating Clergyman of the Established Church of and in every Parish in *Ireland* in which there shall be a Bridewell, which shall be distant more than Three Miles from the Gaol of the County, shall be deemed and reputed to be, and is hereby made and declared to be the Inspector of such Bridewell; and it shall be lawful to and for such Clergyman to execute the Duty of directing and superintending according to Law the Supply of such Bridewell with Necessaries; and all poor Prisoners therein shall be supplied with such Necessaries, in the same Manner, under the same Regulations, and out of the same Funds as poor Prisoners in the County Gaol.

than Three Miles from County Gaols.

XCIV. And be it further enacted, That no Prisoner shall be detained in any Bridewell, except in District Bridewells selected as aforesaid, longer than Three Days from the Day of Committal, unless Two Justices of the Peace of the County, County of a City, or County of a Town shall think proper, by Order in Writing, to direct that such Prisoner be longer detained for the Purposes of Examination, and then only for the Time mentioned in such Order, or any Renewal thereof; but that all such Persons shall be diligently transmitted to the County Gaol or District Bridewell, as the Case may be: Provided always, that if any such Bridewell shall be distant more than Twelve Miles from such County Gaol or District Bridewell, then any such Prisoner may, if the committing Magistrate shall so direct by Order under his Hand, be detained in such Bridewell until the First Week in the Calendar Month next after such Committal, but not longer, so that all the Prisoners committed in any one Calendar Month may be sent under One Escort.

Prisoners shall be sent from Bridewells to County Gaols without Delay.

Detention where Bridewell is distant more than Twelve Miles.

XCV. And whereas in many Bridewells Persons have been detained and discharged without any regular Committal, and no sufficient Record has been hitherto kept of Committal or Discharge of Prisoners, and in many Bridewells no Allowance of Beds, Bedding, Food, or Necessaries are provided; be it therefore enacted, That a Return or Record shall be made and kept by the Keeper of every Bridewell in *Ireland*, not being a District Bridewell as aforesaid, in the Form in the Schedule to this Act annexed marked (D.), or in any other Form approved of by the Judges of His Majesty's Court of King's Bench, or any one or more of them; One Copy of which Return of Record shall be preserved in such Bridewell, and Two Copies shall be transmitted for the Inspectors General of Prisons, to the Office of the Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in *Dublin Castle*, within Fourteen Days after the Thirteenth Day of *March*, the Thirteenth Day of *June*, the Thirteenth Day of *September*, and the Thirteenth Day of *December*, in each and every Year; and that One of the said Copies so transmitted for the Inspectors General of Prisons shall be returned by One of them to the Inspector or Keeper of such Bridewell, certified by such Inspectors General, or One of them; and that such Copy so certified shall be produced by the Inspector or Keeper of such Bridewell to the Collector of Excise of the District in which such Bridewell shall be situated; and such Collector of Excise is hereby

Returns from other Bridewells to be made in the Form in Schedule (D.)

hereby required to administer to such Inspector or Keeper an Oath to the Truth of such Account, and thereupon to pay to such Inspector or Keeper the Amount of the Expence so incurred and specified in such Account, together with such Allowances for Fire, Candles, and Straw, not exceeding Thirty Shillings in any one Quarter of a Year, as shall be certified by such Inspectors General; and it shall be lawful for the Grand Jury of the County, and they are hereby required, on Production of such Account by such Collector of Excise, at the next ensuing Assizes, to make Presentment for the Amount of such Account to be paid to such Collector of Excise.

Prisons in local Jurisdictions shall be abolished, and Persons arrested within such Jurisdictions shall be imprisoned in the County Gaol.

XCVI. And whereas there are in *Ireland* several Towns Corporate and other Places locally situate within some County, County of a City, or County of a Town, such Towns Corporate and other Places having a Power of trying certain Offences, and of committing to Prison Persons charged therewith or convicted thereof; and also having or claiming to have or enjoy and exercise, either by Grant or Prescription, the Right and Privilege of having Courts, holding Pleas, and issuing Process against Defendants resident within such Jurisdictions respectively, and to hold such Defendants to Bail, and also to take and arrest Plaintiffs and Defendants so resident and so impleaded, in Execution, and to commit them to Prison: And whereas much Inconvenience has arisen from the Insecurity and Insufficiency of the various small Prisons locally attached to and used by such inferior Courts; and it is very difficult, if not impossible, unless such local Prisons be abolished, to carry into effect any general System of Gaol Discipline, or to provide for the poor Prisoners confined therein a regular Supply of wholesome Food and other Necessaries; be it therefore enacted, That from and after the First Day of *January* One thousand eight hundred and twenty-seven, all such Prisons shall be and are hereby abolished; and that all and every Person and Persons, who at any Time after the said First Day of *January* One thousand eight hundred and twenty-seven shall or may be arrested or confined under any Mesne or Final Process, Civil or Criminal, issuing out of or from any Court of local or inferior Jurisdiction, having legal Authority for that Purpose, and which Authority shall have been used or acted upon at any Time within Six Years next before the said First Day of *January* One thousand eight hundred and twenty-seven, shall and may be committed to the Common Gaol of the County, County of a City, or County of a Town, as the Case may be, in which such Town Corporate or other Place is situated, under like Authority and in like Manner as any Person arrested under such Process was, before the passing of this Act, liable to be committed to the local Prison attached to such Court of inferior Jurisdiction: Provided always, that every Person so committed shall, to all Intents and Purposes, be deemed and taken to be in the Custody of the Court out of which such Process shall issue, or of the proper Officer of or under such Court, in the same Manner as if such Person had been committed to such local Prison; and that the Sheriff of such County, or County of a City, or County of a Town, shall be responsible to the Court out of which such Process shall issue, and to the proper Officer of or under such Court, for the safe keeping of the Body of every

every such Person during the Time for which such Person shall be committed to such Common Gaol of such County, City, or Town; and that no Action for Escape or other Action shall or may be maintained against the Lord of any Liberty or Franchise, or the Officer of any inferior Court of Jurisdiction, for or by reason of the sending or Committal of any Person as aforesaid to the general Gaol of any such County, County of a City, or County of a Town as aforesaid, or for any Matter or Thing necessarily done or committed for the Purposes aforesaid, although such Person may thereby be removed and taken out of any such Town Corporate, Liberty, or other Place having such Court of inferior Jurisdiction as aforesaid.

Where Towns Corporate have a sufficient Gaol, Lord Lieutenant may authorize the Continuance thereof.

XCVII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and he and they is and are hereby authorized and empowered, upon Application on behalf of any Town Corporate or other Place as aforesaid, and upon satisfactory Proof that a sufficient Gaol has been built at the Expence of such Town Corporate or other Place as aforesaid, and is in existence, and that sufficient Provision is made for maintaining proper Discipline within the same, and for the carrying into effect in such Gaol the several Provisions of this Act, relating to the Supplies thereof, to order that the Prison of such Town Corporate or other Place as aforesaid may be continued, as if this Act had not been made in that respect: Provided also, that nothing in this Act shall extend to the Abolition of the Marshalsea of the City of *Dublin*.

Proviso for Dublin City Marshalsea.

Prisoners may be taken from County Gaols before Courts of local Jurisdiction.

XCVIII. And be it further enacted, That every Person so arrested or confined according to the Provisions of this Act in the Common Gaol of any County or County of a City or County of a Town, under any Process out of any Court of local or inferior Jurisdiction, shall and may from Time to Time be taken from and out of such Common Gaol, and carried before the Court out of which such Process shall issue, by and in the Custody of the Officers of such Court, for any Purpose which may be required by such Court; and that in any such Case no Action for Escape or other Action shall or may be maintained against the Sheriff of the County, County of a City, or County of a Town, to the Gaol of which such Person shall have been committed by virtue of this Act, nor for any Matter or Thing done or committed in or resulting from the Removal of such Person for such Purposes as aforesaid.

Local Jurisdictions shall maintain their Prisoners when committed to County Gaols.

XCIX. And be it further enacted, That during such Time as any Person arrested or confined under any Process of any Court of local or inferior Jurisdiction shall, according to the Provisions of this Act, be committed to and be confined in the Common Gaol of any County, County of a City, or County of a Town in which such local Jurisdiction shall be situate, all the Charges and Expences of the Maintenance of such Prisoner shall be borne and paid by the proper Officers of such local or inferior Jurisdiction, in such Manner and to such Amount as shall be ascertained by the Grand Jury of the County, County of a City, or County of a Town in which such Common Gaol

shall be situate; and it shall be lawful for such Grand Jury, and they are hereby authorized and empowered from Time to Time (with the Consent of the Court or Judge), to make any Presentment or Presentments of the Amount of such Expences, to be paid by the proper Officer of such local Jurisdiction, at any Assizes to be holden for such County, County of a City, or County of a Town respectively; and such Amount shall be paid accordingly, and shall be recoverable in a summary Way, by Civil Bill, at the Suit of the Treasurer of such County, County of a City, or County of a Town, against the proper Officer or Officers of such local Jurisdiction.

Where the County Gaol is situate in a County of a City or Town Lord Lieutenant may order all Prisoners of such City or Town to be committed to the County Gaol.

C. And be it further enacted, That in all Cases where it shall happen that the Gaol or Prison of any County at large in *Ireland* shall be situate within any County of a City or County of a Town, and there shall not be any separate Gaol or Prison for such County of a City or County of a Town within which it is practicable to carry into effect the Provisions of this Act, it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct and order that all Prisoners within such County of a City or Town shall be committed to and shall be kept in Custody in the Gaol of such County at large, so being situate in such County of a City or Town; and in case of such Order or Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, the Maintenance of such Prisoners, and a due Proportion of the other Expences of such County Gaol, shall be provided for by Presentments, to be made by the Grand Jury of the County of a City or County of a Town to which such Prisoner shall belong, in lieu of all other Presentments in respect of the Gaol of such County of a City or Town, and the Sums presented for the Maintenance of such Prisoners shall be paid by the Treasurer of such County of a City or County of a Town to the Treasurer of such County at large.

Persons arrested in inferior Jurisdictions, under Process out of superior Courts, shall be committed to the County Gaol.

CI. And be it further enacted, That in all Cases where any Writ or Process shall issue from the Courts of King's Bench, Common Pleas, or Exchequer in *Ireland*, requiring the Seneschal, Bailiff, or other Officer of any Liberty or Franchise to arrest the Body or Bodies of any Offender or Offenders or Defendant or Defendants, or where any Writ or Process shall be endorsed by the Sheriff of any County, County of a City, or County of a Town within which any such Liberty or Franchise, or any Part thereof, is situate, requiring and commanding such Seneschal, Bailiff, or other Officer to make Execution of such Writ or Process, every Person arrested under such Writ or Process shall be committed to the Common Gaol of the County, County of a City, or County of a Town within which any such Liberty or Franchise, or Part thereof, is situated; and that every Person so imprisoned shall be deemed and taken to be in the Custody of the Seneschal, Bailiff, or other Officer of such Liberty or Franchise, as fully and effectually as if such Person were committed to the local Prison of any such Liberty or Franchise; and the Seneschal, Bailiff, or other Officer of any such Liberty or Franchise shall not be liable to any Action for or by reason of such Committal to such Common Gaol.

CII. And

Where inferior Jurisdiction extends into Two Counties, Persons arrested shall be imprisoned in the Gaol of the County where resident.

CII. And be it further enacted, That where any Town Corporate, Liberty, Franchise, or other Place, having any Court of inferior Jurisdiction, shall be situated partly within One County and partly within another County, or partly within a County and partly within a County of a City or County of a Town, every Person who shall or may be arrested under any such Writ or Process as aforesaid, within such inferior Jurisdiction as aforesaid, shall be committed to the Common Gaol of the County, County of a City, or County of a Town, within which that Part of such Town Corporate, Liberty, Franchise, or Place shall be situate, where such Person may be resident at the Time of the Arrest of such Person respectively; and if such Person shall have no Residence therein, then in that Part thereof where such Arrest shall be made.

Salary to Keepers of District and other Bridewells, by Presentments of Grand Juries.

CIII. And be it further enacted, That it shall be lawful for the Grand Jury of every County, and they are hereby required to present for each Keeper of any District Bridewell, a Salary of not less than Forty Pounds a Year, and for each Keeper of every other Bridewell, a Salary of not less than Ten Pounds a Year; and One Half of every such Salary respectively shall be presented at each Assizes to be holden for each County.

Poor Prisoners shall be kept to work.

CIV. And be it further enacted, That the Keeper of each and every Prison in *Ireland* shall have full Power and Authority, and he is hereby required to keep every poor Prisoner in such Prison to Work of such Kind as the Grand Jury or Board of Superintendence, or in their Default any Three Justices of the Peace respectively, shall direct and appoint by any Order to be made for that Purpose: Provided always, that no Person shall be put to hard Labour who has not been convicted of some Offence, and sentenced to Imprisonment for the same.

Persons committed for Trial may be allowed to work, and shall receive a Portion of their Earnings.

CV. And whereas Persons are often committed to Prison for Trial, who, not being poor Prisoners as aforesaid, are willing to be employed in such Work or Labour as can be conveniently executed or done in the Prison to which they are so committed, and it is fit that such Persons should be so employed, rather than that they should be obliged to remain idle during their Confinement; be it therefore enacted, That it shall and may be lawful for the Board of Superintendence of any Prison to which this Act shall extend, to authorize, by an Order in Writing, the Employment of any such Prisoners, with their own Consent, in any such Work or Labour; and it shall be lawful for the Keeper of such Prison to employ such Prisoner in such Work or Labour accordingly, and to pay to such Prisoners any such Wages, or Portion of the same, and at such Periods as shall be directed by such Board of Superintendence: Provided always, that it shall not be lawful to place together, on account of such Employment, any Prisoners who would otherwise be kept separate under the Provisions of this Act; and provided further, that such Consent of every such Prisoner shall be freely given, and shall not be extorted or obtained by Deprivation, or Threat of Deprivation, of any Prison or other Allowance; and that no Prisoner before Conviction shall, under any

No Prisoner to be employed on

the Tread Wheel before Conviction.

any Pretence, be employed on the Tread Wheel, either with or without his Consent.

Materials, Tools, &c. shall be provided.

CVI. And be it further enacted, That all Materials and Tools necessary for any such Work, and all Books and Teachers or School-masters necessary for the learning of any Trade, as well as for the Instruction of every such poor Prisoner in Reading and Writing, shall be in like Manner provided, and the Expence thereof raised by Presentment as aforesaid.

Poor Prisoner shall have One Third of Profit, and Two Thirds shall be applied to his Maintenance.

CVII. And be it further enacted, That in every Prison in *Ireland* an Account shall be kept by the Keeper of such Prison, of any Profits which may arise from the Work of each poor Prisoner therein, and One Third of such Profits, if any shall arise, shall be for the Use of such poor Prisoner, and that the other Two Thirds of such Profits shall be applied in and towards the Payment of, and for the several Necessaries supplied to the poor Prisoners in such Prison as therein provided; and the Balance only shall be paid from Time to Time out of the Funds herein directed in that Behalf respectively: Provided always, that no Claim shall be made to any Portion of the Earnings in the Event of no Profit arising from the Work, or in the Case of Persons sentenced to hard Labour under any Law for that Purpose which may at any Time be in force in *Ireland*.

Returns of Persons sentenced to hard Labour to be made at the several Assizes by Keepers of Prisons.

CVIII. And be it further enacted, That the Keeper of every Prison in *Ireland* shall be held responsible for the Execution of every Sentence to the Tread Wheel or other Description of hard Labour within the Gaol, and shall previously to the First Day of every Assizes make out a true and just Return in Writing in the Form in the Schedule to this Act annexed marked F., or in some other Form to be approved by the Judges of His Majesty's Court of King's Bench, or any one or more of them, of all Persons in his Custody who have been sentenced to the Tread Wheel or other hard Labour by the Court at any previous Assizes, specifying in such Return the Manner in which such Sentences have been carried into Execution, the particular Species of Labour in which such Prisoners have been employed, and the average Number of Hours in a Day for which such Persons so sentenced have been kept to Work; which Return shall be signed by such Keeper, and also by the Local Inspector, or by One at least of the Board of Superintendence of such Prison, who shall add thereto such Observations as the Case and Circumstances may appear to him to require; and such Return shall be delivered to the Justice of Assize and Gaol Delivery, and shall be kept and filed by the proper Officer amongst the Records of the Court.

Rules and Regulations for the Management of the several Prisons and Classification of the Prisoners

CIX. And be it further enacted, That the following Rules and Regulations shall be strictly observed, and carried into Force and Effect in every Gaol, House of Correction, Marshalsea, Bridewell, Sheriff's Prison, and other Prisons throughout *Ireland*, so far as the same shall be practicable therein; that is to say,

First:—It shall not be lawful for any Woman to be Keeper of any Prison.

Second:—

Second:—The Keeper of each Prison shall reside therein; he shall not be an Under Sheriff or Bailiff, nor shall he be concerned in any Occupation or Trade whatsoever; no Keeper or Officer of a Prison shall sell, nor shall any Person in Trust for him, or employed by or under him, sell or have any Benefit or Advantage from the Sale of any Article to any Prisoner, nor have directly or indirectly any Interest in any Contract or Agreement for the Supply of the Prison.

Third:—A Matron shall be appointed in every Prison in which Female Prisoners shall be confined, who shall reside in the Prison, and it shall be the Duty of the Matron constantly to superintend the Female Prisoners.

Fourth:—The Keeper shall, as far as may be practicable, visit every Ward, and see every Prisoner, and inspect every Cell Once at least in every Twenty-four Hours; and when the Keeper or any other Officer shall visit the Female Prisoners, he shall be accompanied by the Matron, or in case of her unavoidable Absence, by some Female Officer of the Prison.

Fifth:—No Tap shall be kept in any Prison, nor shall Spirituous Liquors of any Kind be admitted for the Use of any of the Prisoners therein, under any Pretence whatever, unless by a written Order of the Physician or Surgeon, specifying the Quantity, and for whose Use; no Wine, Beer, Cyder, or other fermented Liquors shall be admitted for the Use of any Prisoners, except in such Quantities, in such Manner, and at such Times, as shall be allowed by the Rules hereafter to be made in pursuance of this Act.

Sixth:—The Person or Persons whose Duty it shall be to deliver out Bread or other Provisions, or One of the said Persons, and the Keeper of the Prison, shall attend for that Purpose every Day, and shall take care that the same is properly distributed, according to the Wants of the Prisoners respectively, and that it is not more than Twenty-four Hours since any Bread which may be so distributed had been baked; and such Person or Persons shall not suffer any Prisoner to commute the said Allowance, by receiving the Value thereof in Money, or in any other Manner whatsoever.

Seventh:—The Walls and Ceilings of the Wards, Cells, Rooms, and Passages used by the Prisoners, throughout every Prison, shall be scraped and limewashed, at least Twice in the Year; and the Day Rooms, Passages, and Sleeping Cells shall be washed or cleansed Once a Week, or oftener, if requisite; the Straw shall be changed Once in every Two Months; convenient Places for the Prisoners to wash themselves shall be provided, with an adequate Allowance of Soap, Towels, and Combs; a Fire shall be lighted in the Day Rooms, for Ten Hours in the Day, from the First Day of *October* to the First Day of *April* in every Year, and at such other Times as the Board of Superintendence of the Gaol shall deem necessary.

Eighth:—The Classification herein-before directed and required by this Act shall be invariably carried into Effect, and the Debtors shall be separated into Two Divisions, those who are maintained by the Public being placed in every respect on the same Footing as untried poor Prisoners of any other Class.

Ninth:—That all Prisoners shall have free Access to the Bath and Necessary, in their respective Parts of the Prison, at all reasonable Hours; and shall also be admitted at proper Times in Succession, to air themselves in the Yard or Yards, for at least Two Hours in every Day, except Prisoners under Sentence of Death, and such Persons as shall be riotous or disorderly, or where there may be sufficient Cause to apprehend that an Escape may be attempted.

Tenth:—No Horses, Cows, Hogs, Pigs, Cattle, or Poultry of any Kind, shall be kept within the Boundary Walls of any Prison.

Eleventh:—No Prisoner, even when condemned to Death, shall be put into a Dungeon or Room under Ground.

Twelfth:—No smoking, gambling, swearing, indecent Language or unreasonable Noise, shall be allowed in any Prison.

Thirteenth:—The Local Inspector shall visit every Prison under his Inspection Twice at least in every Week; at each Visit he shall go into every Room in the Prison, and if any Complaint shall be made by the Prisoners, or any of them, or against the Gaoler or his Assistants, the Inspector shall immediately inquire into the Particulars of such Complaint, and if the same shall appear to be well founded, he shall report accordingly to the Inspector General of Prisons, and to the Board of Superintendence.

Fourteenth:—The said Local Inspectors shall each of them report specially on Oath the State of each and every Prison under their Inspection respectively; the Inspector or Inspectors for the County of *Dublin* and County of the City of *Dublin*, to the Court of King's Bench in every Term, and the Inspectors for all the other Counties, to the Judge at each Assizes.

Fifteenth:—The Keeper of every Prison shall have Power to hear all Complaints touching any of the following Offences; (that is to say), Disobedience to any of the Rules of the Prison; Assaults by One Person confined in such Prison upon another, when no dangerous Wound or Bruise is given; profane cursing and swearing; any indecent Behaviour, and any irreverent Behaviour at Chapel, all of which are declared to be Offences by this Act, if committed by any Description of Prisoners; breaking Windows or otherwise injuring the Prison or any Part of the Furniture thereof; Absence from Chapel without Leave; Idleness or Negligence in Work, or wilful Mismanagement of it; and the said Keeper may examine any Person touching such Offences, and may determine thereupon, and may punish all such Offences, by ordering the Offender or Offenders to close Confinement in the refractory or solitary Cells, and by keeping such Offenders respectively upon Bread and Water only, for any Term or Terms respectively, not exceeding in any Instance Three Days.

Sixteenth:—In case any Prisoner shall be guilty of repeatedly offending against the Rules of the Prison which shall be then existing, or shall be guilty of any greater Offence against the said Rules than the Gaoler or Keeper is by this Act empowered to punish, the said Gaoler or Keeper shall forthwith report the same to any Justice of the Peace acting in and for the County, County of a City, or County of a Town to which such Prison belongs, being a Member of the Board of Superintendence of such Prison,

and

and in their Default any other Justice acting in and for the said County, County of a City, or County of a Town to which such Prison belongs; and any one Justice shall have Power to inquire upon Oath, and to determine concerning any such Offence so reported to him or them, and to order such Offender to be punished by solitary Confinement on Bread and Water, for any Term not exceeding One Calendar Month.

Seventeenth:—No Prisoner shall be put in Irons by the Keeper of any Prison, except in case of urgent and absolute Necessity, and the Particulars of every such Case shall be forthwith entered in the Keeper's Journal, and Notice forthwith given thereof to one of the Board of Superintendence appointed under this Act, or in the County of the City of *Dublin* to any Justice of the Peace or Magistrate for the County of the said City, and the Keeper shall not continue the Use of Irons on any Prisoner longer than Four Days, without an Order in Writing from a Member of the said Board of Superintendence, being a Justice of the Peace, (or in the County of the City of *Dublin* from any Justice of the Peace or Magistrate there), specifying the Cause thereof, which Order shall be preserved by the Keeper as his Warrant for the same.

Eighteenth:—Female Prisoners shall in all Cases be attended by Female Officers.

Nineteenth:—Due Provision shall be made for the Admission, at proper Times and under proper Restrictions, of Persons with whom Prisoners committed for Trial may desire to communicate, and such Rules and Regulations shall be made by the Board of Superintendence, or in the County of the City of *Dublin* by the Grand Jury, with the Approbation of the Court of King's Bench, for the Admission of the Friends of Prisoners, as to such Board or Grand Jury may seem expedient; and the Board or Grand Jury shall also impose such Restrictions upon the Communication and Correspondence of all Prisoners with their Friends, either within or without the Walls of the Prison, as they shall judge necessary for the Maintenance of good Order and Discipline in such Prison.

Twenty:—The Physician or Surgeon shall examine every Prisoner who shall be brought into the Prison, before he or she shall be passed into the proper Ward; and no Prisoner shall be discharged from Prison, if labouring under any acute or dangerous Distemper, nor until, in the Opinion of the Surgeon or Physician, such Discharge is safe, unless such Prisoner shall require to be discharged; the Wearing Apparel of every Prisoner shall be fumigated and purified, if requisite, after which the same shall be returned to him or her, or other sufficient Clothing shall be furnished according to the Rules and Regulations of the Prison.

Twenty-first:—Every Prisoner shall be provided with suitable Bedding, and every Male Prisoner with a separate Bed, Hammock, or Cot, either in a separate Cell, or in a Cell with not less than Two other Male Prisoners.

Twenty-second:—Upon the Death of a Prisoner, Notice thereof shall be given by the Keeper forthwith, to some Member of the Board of Superintendence, being a Justice of the Peace, or in the County of the City of *Dublin* to any Justice of the Peace or Magistrate,

Magistrate, as well as to the Coroner of the District, and to the nearest Relative of the Deceased, where practicable; and in case the Coroner shall hold an Inquest on the Body of any Prisoner, none of the Prisoners confined in that Prison shall be a Juror on such Inquest.

Twenty-third:—The Keeper of every Prison shall be provided with a Copy of this Act.

Twenty-fourth:—The Local Inspector shall, in his Reports of the State of every Prison (according to the Fourteenth Rule) under his Inspection, insert a Copy of the foregoing Regulations, at full Length; and in a separate Column, opposite to each of the said Regulations, shall certify and state how far each of them has been observed and complied with; and shall also state and set down how far the several other Directions contained in this present Act have been observed and executed, and particularly whether the poor Prisoners have been supplied with the Food, Clothing, and Bedding prescribed by this Act.

Penalty on conveying Spirituous Liquors into Prisons.

CX. And be it further enacted, That if any Person shall carry or bring, or attempt or endeavour to carry or bring, into any Prison in *Ireland*, any spirituous or fermented Liquor, unless under the Order of some competent Authority, it shall be lawful for the Keeper or other Officer to apprehend or cause to be apprehended such Offender, and to carry such Offender before a Justice of the Peace, (who is hereby empowered to hear and determine such Offence in a summary Way,) and if such Justice shall lawfully convict such Person of such Offence, he shall forthwith commit such Offender to the Common Gaol or House of Correction, there to be kept in Custody for any Time not exceeding Three Months without Bail or Mainprize, unless such Offender shall immediately pay down such Sum of Money, not exceeding Twenty Pounds, as such Justice shall impose upon such Offender; to be paid, one Moiety to the Informer, and the other Moiety to the Treasurer of the County, in aid of the Maintenance of such Prison; and if any Keeper of any Prison, or any Prisoner or other Person, shall sell, use, lend, or give away, or knowingly permit or suffer to be sold, used, lent, or given away in such Prison, or brought into the same any spirituous or fermented Liquors, he shall for every such Offence, over and above any other Punishment by this Act inflicted, forfeit and lose the Sum of Twenty Pounds; or if a Prisoner, he or she shall in lieu of such Penalty be placed in solitary Confinement for any Period not exceeding One Calendar Month.

For supplying discharged Prisoners with the Means of returning to their Homes, &c.

CXI. And whereas it is desirable that Prisoners discharged from Prison should be supplied with the Means of returning to their Families, or to some Place of Employment where they may be engaged in a Life of honest Labour for their Maintenance, and prevented from pursuing evil Courses; be it therefore enacted, That it shall and may be lawful for any Two Justices of the Peace or Magistrates in the County of the City of *Dublin*, and for the Board of Superintendence of any Prison in any other Place in *Ireland*, from whence any Prisoner shall be discharged, to direct that such moderate Sum of Money

Money shall be given and paid to any and every such Prisoner so discharged, who shall not have the Means of returning to his or her Family or Place of Settlement, or resorting to any Place of Employment or honest Occupation, as in the Judgment of such Justices or Board shall be requisite and necessary for such Purpose, under all the Circumstances attending the Case of any such Prisoner; and that such Sum of Money shall be paid by the Inspector of such Prison to or for the Use of such Prisoner for the Purpose aforesaid; and that all such Sums shall be provided for, or in such Manner as is by this Act directed with respect to the Expence of the Support and Maintenance of the Prisoners in any such Prisons respectively.

Court of King's Bench empowered to make new Rules and Regulations.

CXII. And whereas it may hereafter be found expedient that new and additional Rules and Regulations for all Prisons, or for any particular Prison or Prisons in *Ireland*, should from Time to Time be made for the furtherance of the Provisions of this Act; be it therefore enacted, That it shall and may be lawful for His Majesty's Court of King's Bench in *Ireland*, if such Court shall think proper, to order, direct, and ordain that any such Rules or Regulations shall be altered, or that any new Rules and Regulations, whether temporary or permanent, shall be made for the better Government of all or any Prisons or Prison in *Ireland*, and the Officers thereof, and the Provisions therein respectively, and for the Classification and Distribution of Prisoners, and generally either with respect to all Prisons, or to any Kind or Description of Prisons, or to any particular Prisons or Prison in *Ireland*, at the Discretion of such Court, provided the same be not inconsistent with the Provisions of this Act; and it shall and may be lawful for His Majesty's Court of King's Bench, on Proof of Disobedience to such Rules and Regulations, or of any Misconduct on the Part of any Inspector, or of any Keeper or other Officer of any Prison, by a summary Order, to dismiss such Inspector or Keeper, or other Officer so offending, from his Office: Provided always, that no Officer so dismissed shall be re-eligible to his Office, by any Sheriff, Grand Jury, or other Authority whatever, without the Permission of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and every Officer holding any Office in any Prison or Prisons in *Ireland*, shall, while he shall hold that Office, be deemed, taken, and considered, in respect thereof, as an Officer of the said Court of King's Bench, and subject to the Orders thereof as such.

Keepers of Gaols, Inspectors, and Officers shall attend and answer all Inquiries of the Board of Superintendence.

CXIII. And be it further enacted, That every Keeper of any County Prison, and the Inspector and every other Officer of such Prison, shall, at all reasonable Hours, attend in such Prison, on due Notice for that Purpose, in order to give to the Board of Superintendence, or any Three of them as aforesaid, such Information as may be necessary, on Oath, or otherwise as shall be required by them, concerning such Prison and the Officers thereof, or any of them, and concerning the Prisoners therein, or any of them, and relating to all Matters connected with the Order and good Government of such Prison; and if any such Keeper, Inspector, or other Officer shall refuse so to attend, or to be examined, or to give sufficient Answer to any Inquiry, it shall and

may be lawful for any one of such Board of Superintendence to make Complaint thereof to the Court of King's Bench, or in Vacation to any Judge thereof, and such Court or Judge may commit such Offender as in Cases of Contempt of the said Court of King's Bench.

Lord Lieutenant may make Orders for the Regulation of the Smithfield Penitentiary and Richmond Bridewell, and for the Classification of Prisoners there.

CXIV. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice and Consent of His Majesty's Privy Council in *Ireland*, from Time to Time to make such Rules, Orders, and Regulations as shall appear to the said Lord Lieutenant and the Privy Council to be requisite and necessary for the Management and Regulation of the *Smithfield* Penitentiary and of the *Richmond* Bridewell in *Dublin*, and for the Appointment of the Gaolers, Keepers, and all other Officers of the said Penitentiary and Bridewell respectively; and such Prisoners only shall be committed to and confined in the said Penitentiary and Bridewell respectively as shall be specified and directed in and by such Rules, Orders, and Regulations; and such Rules, Orders, and Regulations may be from Time to Time altered and amended in like Manner; and also that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice and Consent of the said Privy Council, from Time to Time to make such Rules, Orders, or Regulations as shall appear to such Lord Lieutenant or other Chief Governor or Governors and Privy Council to be necessary for the Classification and Separation of all Prisoners in any Prisons which are or may be situate or established within the County of the City of *Dublin*, by allotting and appointing the said several Prisons for the Custody of One or more Class or Classes of Prisoners, and by directing what Class or Classes of Prisoners shall be committed or removed to *Newgate*, what Class or Classes of Prisoners shall be committed or removed to the *Smithfield* Penitentiary, and what Class or Classes of Prisoners shall be committed or removed to the *Richmond* Bridewell, or to any other Prison which may be situated or established within the County of the City of *Dublin*; and such Prisoners only shall in future be committed or removed to or be confined in the said Gaol of *Newgate*, and the said Penitentiary and Bridewell or other Prison respectively, as shall be specified and directed in and by such Rules, Orders, and Regulations, and such Rules, Orders, and Regulations as may be from Time to Time altered and amended by the Lord Lieutenant and other Chief Governor or Governors of *Ireland* for the Time being, by and with the Advice and Consent of the said Privy Council.

Prisoners may be committed to and removed from any one of the Prisons in Dublin as the Lord Lieutenant shall direct.

CXV. And be it further enacted, That it shall and may be lawful for the Sheriffs of the City of *Dublin*, and for the Keepers of the Gaol of *Newgate* in the said City, and for the Keepers of the said *Smithfield* Penitentiary and *Richmond* Bridewell respectively, or any other Prison which may be situated or established within the County of the City of *Dublin*, from Time to Time to receive into their Custody any Prisoner or Prisoners committed or removed to the said Gaol, Penitentiary, or Bridewell respectively, and also to remove any Prisoner

in the said Gaol of *Newgate*, or in the said Penitentiary, or Bridewell, or other Prison respectively, from any one of the said Prisons respectively into any other of the said Prisons, pursuant to an Order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* and the said Privy Council, made pursuant to this Act, and no such Removal shall be construed to be an Escape; and all such Prisoners shall and may be lawfully detained in such Gaol, Penitentiary, or Bridewell, to which they shall be committed or removed in pursuance of such Orders, and shall be deemed in the proper Custody; any Law, Usage, or Custom to the contrary notwithstanding.

Offenders may be committed to any House of Correction within the County.

CXVI. And be it further enacted, That whenever any Person shall be lawfully convicted before any Court, or Judge or Justice of the Peace, of any Offence, and shall be punishable by Imprisonment, it shall and may be lawful for such Court or Judge or Justice to sentence such Offender to be confined in any House of Correction within and belonging to the County, County of a City, or County of a Town, where such Offender shall be convicted, and such Offender shall and may be committed to and detained in such House of Correction accordingly; any Law, Usage, or Custom to the contrary notwithstanding; and in all Cases where any one House of Correction shall have been or shall be built, repaired, or enlarged at the joint Expence of any Two or more Counties, or Counties of Cities, or Counties of Towns, it shall and may be lawful for the Court or Justice before whom any Offender shall be convicted, in either or any of the said Counties, or Counties of Cities or Towns, of any Offence, and shall be punishable by Imprisonment, to sentence such Offender to be confined in such House of Correction, although such House of Correction may not be locally situated within the County, County of a City, or County of a Town within which such Offender shall be convicted; and such Offender shall and may be committed to and detained in such House of Correction accordingly; any Law, Usage, or Custom to the contrary notwithstanding.

Where One House of Correction for Two or more Counties, Offenders in all such Counties may be committed thereto.

A Hulk or Depôt shall be appointed for every County, to which Convicts for Transportation shall be transmitted.

Convicts to have new Dresses.

CXVII. And whereas great Evils arise from the Detention in County Gaols of Convicts sentenced to Transportation; be it therefore enacted, That for each County a particular Hulk or Depôt shall be named by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to which all Prisoners convicted and sentenced to Transportation shall be transmitted with all practicable Expedition; and it shall and may be lawful for the Inspector of the County Gaol, on the Day of such Transmission, to order into the Stores of the Gaol all Prison Dresses belonging to the said Convicts, and to issue to such Convicts new Dresses, an Account of the Amount of the Cost of which shall be delivered by such Inspector to the Collector of Excise of the District in which such Gaol shall be situate, upon Oath, and thereupon such Collector of Excise shall pay such Amount to such Inspector, out of any Public Monies in the Hands of such Collector of Excise.

Marshalsea of the Four Courts to be

CXVIII. And be it further enacted, That the Marshalsea of the Four Courts shall be kept separate and distinct from all other Prisons, and

under Care of the Marshal.

and shall be under the Care of the Marshal of the Four Courts, to be appointed by and removable at the Will and Pleasure of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, from Time to Time, for the Time being.

Salary of the Marshal.

CXIX. And be it further enacted, That the said Marshal shall receive such Salary as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being shall appoint, not exceeding the Sum of Nine hundred Pounds *per Annum*, to be paid out of the Consolidated Fund of the United Kingdom, and that he shall reside constantly in the Marshalsea; and shall receive no Fee or other Emoluments whatever from the Prisoners confined therein, or otherwise.

Classification of the Prisoners there to be under Orders of the Court of King's Bench.

CXX. And be it further enacted, That the Prisoners confined in the said Marshalsea shall be divided into so many Classes, and separated in such Manner as the Judges of His Majesty's Court of King's Bench shall appoint: Provided always, that there shall not be less than Three Classes of Male Prisoners; the First, containing Prisoners paying Rent for their Lodging; the Second, containing the Common Hall Prisoners, subject to no Rent, but who supply Furniture, Food, and Necessaries for themselves; and the Third, containing pauper Prisoners, who shall be and are hereby entitled to all the Allowances of Furniture, Clothing, and Food afforded under this Act to Prisoners in County Gaols, and subject to the same Regulations.

Rates of Lodging shall be under the like Orders.

CXXI. And be it further enacted, That the Rates of Lodging to which the Prisoners of the First Class are to be made subject, as well as the Apartments to which they shall extend, shall be regulated from Time to Time by the Rules and Regulations which shall be established in the said Marshalsea by the Judges of His Majesty's said Court of King's Bench; and that the Amount thereof shall be received by the Marshal, and shall be paid to the Local Inspector, and placed to the Credit of his Account.

Penalty on Marshal taking Fees.

CXXII. And be it further enacted, That in case the said Marshal of the Four Courts, or his Deputy, or other Persons employed under him, shall demand, exact, take, or receive from any Prisoner in the said Marshalsea, any Fee, Reward, or Gratuity, or shall not duly observe such Rules as are or shall be from Time to Time prescribed; or shall exact any Sum greater than the regulated Rates for the Lodging of the Prisoners, then the said Marshal for the Time being, or his Deputy, or such other Person, whichever of them shall offend herein, shall forfeit for the First Offence committed the Sum of Fifty Pounds, the One Moiety thereof to the King and the other Moiety to the Party aggrieved, who may sue for and recover the same by an Action, Suit, Bill, or Plaint, in any of His Majesty's superior Courts of Record at *Dublin*, wherein no Essoign, Protection, or Wager of Law, shall be allowed, nor any more than One Imparlance; and if after such Conviction he shall again offend as aforesaid, he shall for such Second Offence forfeit his Office, and be incapable of holding or exercising the Office of Marshal of the Four Courts, or of being Deputy Marshal of the same, or of being employed under the Four Courts;

Courts; provided that nothing herein contained shall prevent the Receipt or Recovery of any Fees or Rates for Lodgings which shall be due to such Marshal at any Time previous to the Commencement of this Act.

Appointment of Inspectors, Chaplains, &c. to Prisons, the Expence of which is defrayed out of the Consolidated Fund.

CXXIII. And be it further enacted, That in and for the Marshalsea of the Four Courts of *Dublin* or any other Prison, the Expence whereof shall be defrayed out of the Consolidated Fund of the United Kingdom, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to appoint all such Inspectors, Chaplains, Physicians, Surgeons, Apothecaries, and other Officers respectively, as may be requisite for such Marshalsea or other Prison as aforesaid; and that the Salaries of such Inspectors, Chaplains, Physicians, Surgeons, Apothecaries, and other Officers, as well as the Expence of all Articles which shall be furnished to any of the poor Prisoners in the Marshalsea of the Four Courts, or in any such other Prison, shall be paid out of the Consolidated Fund, by Warrant of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, on being vouched by the Local Inspector on Oath: Provided always, that One Deputy Marshal of the Four Courts Marshalsea, Three Hatchmen, and all inferior Officers necessary for the safe Custody of Prisoners, or the Discipline of the Prison, shall be appointed and paid by the Marshal of such Marshalsea.

Appointment of Deputy Marshal, &c.

Dublin City Marshalsea shall be kept separate.

CXXIV. And be it further enacted, That the Marshalsea of the City of *Dublin* shall be kept separate and distinct from all other Prisons, in a House and Place by itself, under the Care of such Person or Persons as shall be duly authorized and appointed to keep the same.

Keeper shall be elected by the Corporation.

CXXV. And be it further enacted, That it shall and may be lawful to and for the Corporation of the said City of *Dublin*, at any Quarter Assembly, or at any Post Assembly, held for that Purpose, to elect and appoint a fit and proper Person to be Keeper of the said Marshalsea Prison: And it is hereby declared, that the Marshal of the said City shall be exempt from the Care and Custody of the Prisoners to be therein confined; and that such Marshal shall not be liable to any Damages, Costs, or Charges whatever for or on account of any Escape that shall be effected or made from such Prison.

Marshal not liable for Escapes.

Keeper to be answerable for the Custody of Prisoners.

CXXVI. And be it further enacted, That the Keeper of the said Marshalsea of the City of *Dublin* shall be answerable for the safe Custody of all such Prisoners as shall be confined in the said Marshalsea, and that he shall observe and perform the several and respective Rules herein required with respect to Prisons wherein Debtors are confined.

Such Keeper shall not interfere with Duties of the Marshal of Dublin.

CXXVII. Provided always, and be it further enacted, That such Election or Appointment of any Person to be Keeper of such Marshalsea Prison of the said City of *Dublin* as aforesaid, shall not extend or be construed to extend to permit or allow any such Person to interfere

fere in any degree whatsoever with any of the Duties, Privileges, or Emoluments annexed to the said Office of Marshal of the said City, or which heretofore have been exercised or enjoyed by him or his Predecessors, save only and except in the Care of the said Marshalsea Prison, and the safe keeping of the said Prisoners to be confined therein.

Keeper of Sheriff's Prison to be under Controul of Court of King's Bench.

CXXVIII. And be it further enacted, That the Prison for Debtors in the County of the City of *Dublin* called The Sheriff's Prison, and the Keeper thereof, shall be under the Controul of His Majesty's Court of King's Bench in *Dublin*, and shall be subject to all such Rules and Orders as shall be made by the said Court for the Government of the said Prison, and for the Regulation of the Rate of Rents for the Lodging and Accommodation of Prisoners in the same Prison, and of the Fees to be taken by the Keeper of the said Sheriff's Prison.

Grand Jury may present for Salary of Keeper of Sheriff's Prison and his Officers, if the Rents, &c. do not appear sufficient.

CXXIX. And be it further enacted, That if the Amount of Rents and Fees to be established for the said Sheriff's Prison shall at any Time appear to the Grand Jury of the County of the City of *Dublin* to fall short of the Amount necessary to provide a sufficient Salary to the Keeper of the said Prison, together with sufficient Sums for the Payment of the Hatchmen and other Officers and Servants necessary for the safe Custody of the Prisoners, or the Discipline of the Prison; then and in every such Case it shall be lawful for such Grand Jury at any Presenting Term to make Presentment of such Sum or Sums of Money as shall be necessary to supply such Deficiency; and it shall also be lawful for such Grand Jury at any Presenting Term also to make Presentment of any such Sum or Sums of Money as such Grand Jury shall think requisite for the Repairs or other necessary Expences of maintaining the said Prison: Provided always, that the Salary of the Keeper of the said Sheriff's Prison, including all Rents and Fees allowed to be received by him, shall not in any one Year exceed the Sum of Five hundred Pounds over and above the Salaries paid by the Keeper of the said Prison to the Hatchmen and other Officers and Servants in the said Prison, to such Amount as shall be approved of by the Court at each Presenting Term.

Marshal of City Marshalsea shall observe the same Rules, &c. as the Marshal of the Four Courts, and be under like Penalties.

CXXX. And be it further enacted, That the Marshal of the City of *Dublin* shall observe and keep the same Rules, and shall take the same Rates for the Lodging and Accommodation of Prisoners, in such Sort and in such Manner as the Marshal of the Four Courts shall from Time to Time be entitled to take, save and except so far as the same may be otherwise from Time to Time ordered by the Court of King's Bench; and in case the Marshal of the City of *Dublin* for the Time being or his Deputy, or the Keeper of the Sheriff's Prison, or any other Person or Persons employed under him, shall take, receive, or exact any Fee, Gratuity, or Reward, not authorized by this Act, from any Person whomsoever committed as a Prisoner to his Custody, or shall not observe and perform the Rules and Rates in every respect which shall from Time to Time be prescribed as aforesaid with respect to the Marshalsea of the City of *Dublin*, or Sheriff's Prison, then the said Marshal of the City of *Dublin* for the

Time being or his Deputy, or the Keeper of the Sheriff's Prison, or other Person who shall offend therein, shall suffer and incur the like Forfeitures and Disabilities as concerning the Marshal of the Four Courts, his Deputy, and all Persons employed by him, is hereinbefore provided respectively.

Court of King's Bench and Judges of Assize shall give the Act in charge to Grand Juries.

CXXXI. And in order to render more effectual the several Provisions and Regulations contained in this Act, be it enacted, That the Court of King's Bench, and all and every Judge and Judges of Assize and General Gaol Delivery in *Ireland* respectively, are hereby directed and required, from Time to Time as Occasion shall require, to give this Act in charge to the Grand Juries of the several Counties in *Ireland* respectively, or so much thereof as concerns such Grand Juries respectively, and to require them to comply therewith as the Law directs, and to make such Presentments as are herein mentioned and directed.

If Presentments are not made by Grand Juries, Judges shall order the Amount to be added to the Treasurer's Warrant.

CXXXII. And be it further enacted, That if any of the said Grand Juries, after having been properly called upon and directed by such Court and Judges respectively to make such Presentments as are required by this Act, shall notwithstanding refuse or neglect or omit to make such Presentment or Provision respectively before the last Day of any Assizes or Presenting Term respectively, then and in every such Case the said Court and Judges respectively are hereby empowered and required to direct that the Amount of the Sum which ought to have been presented shall be added to the Warrant of the Treasurer of the County, County of a City, or County of a Town, and shall be raised, levied, applotted, and assessed after the same Manner as the Presentments for County Charges, on the County at large.

Judges may reduce Presentments, if more than necessary.

CXXXIII. And be it further enacted, That if any of the said Grand Juries shall at any Time present for any of the said Purposes a Sum which shall appear to the Court to be greater than is proper or reasonable for such Purpose, then and in every such Case it shall and may be lawful to and for the Court or Judge receiving such Presentment, at the Time of so receiving the same, to order that the same shall be reduced to such Sum as he or they shall think proper, which shall be done accordingly; and the same shall then be fiated, and shall be deemed, taken, and proceeded on in the same Manner in all respects as if the same had been originally so presented.

Court of King's Bench and Judges of Assize shall inquire into the Manner of executing this Act as to Presentments.

CXXXIV. And in order that the beneficial Purposes of this Act may be more fully and faithfully carried into effect, be it enacted, That the said Court of King's Bench and Judges of Assize shall, Once in every Assizes and Presenting Term respectively, make diligent Inquiry, by Examination on Oath in Court, and by such other Ways and Means as they shall think proper, concerning the several Matters for which Presentments are or shall be by this or any other Act relating to any of the Matters aforesaid directed or authorized to be made at such Assizes or Term respectively, and finally shall decide, after

after such mature Consideration, as to the Exercise of the Powers so herein-before given in that respect.

Limitations of Actions against Persons prosecuted for Execution of this Act.

CXXXV. And be it further enacted, That if any Action shall be brought or Suit commenced against any Person or Persons, for any thing done in pursuance of this Act, or in relation thereto, every such Action or Suit shall be brought within Six Calendar Months after the Fact done, and the Venue thereof shall be laid in the proper County, and not elsewhere; and the Defendant or Defendants to such Action may plead the General Issue, and give this Act and the special Matter therein contained in Evidence on any Trial to be had thereupon; and if a Verdict shall be given for the Defendant in such Action, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have and recover Double Costs, the Plaintiffs first suggesting on the Record, by Leave of the Court, that the Action was brought for an Act done in pursuance of this Act, or in relation thereto, if the same shall not sufficiently appear by the Pleadings.

Provisions of 1 & 2 G. 4. c. 77. for the Abolition of Prison Fees, extended to Prisoners confined for Debt.

CXXXVI. And whereas by an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His present Majesty, intituled *An Act to abolish the Payment by Prisoners in* Ireland *of Gaol Fees and all other Fees relating to the Commitment, Continuance, Trial, or Discharge of such Prisoners, and to prevent Abuses by Gaolers, Bailiffs, and other Officers*, it is amongst other things enacted, that all Fees and Gratuities whatever, paid or payable by any Prisoner in *Ireland* on the Entrance, Commitment, Continuance in Custody, or Discharge of any such Prisoner, to, in, or from any Prison in *Ireland*, shall absolutely cease and determine, and that no Fee or Gratuity shall be paid or payable by any such Prisoner: And whereas Doubts have arisen whether the Provisions of the said recited Act of Parliament extend to Prisoners confined for Debt; be it therefore declared and enacted, That the said recited Act, and the several Clauses and Provisions therein contained, do and shall extend and apply, and shall be construed to extend and apply, to Prisoners confined or to be confined for Debt in any Prison in *Ireland*, in as full and ample a Manner as if such Prisoners had been specially mentioned therein; and that no Fee or Gratuity whatever shall be paid or payable by or in respect of any such Prisoner (save and except in manner and in the Cases specially excepted and provided for in the said recited Act); any Law, Custom, or Usage to the contrary notwithstanding.

Notice of Abolition of Fees to be affixed in all Prisons.

CXXXVII. And be it further enacted, That there shall be hung up in a conspicuous Manner in every Prison in *Ireland*, a Notice in the following Words; *videlicet*,

'NOTICE is hereby given, That all Prison Fees whatsoever are 'abolished by Act of Parliament; and any Sheriff, Under 'Sheriff, Gaoler, Turnkey, Clerk of the Crown, Clerk of the Peace, 'or his or their Deputy or Deputies, Bridewell Keeper, or other Officer,

'Officer, taking or demanding any Fee, Gratuity, or Reward, is 'thereby subject to a Penalty of Five Pounds; and that the Abo- 'lition of such Fees extends to all Persons confined for Debt, and 'to all Prisoners required by their Sentence to enter into Recog- 'nizance after completing the Period of their Imprisonment.'

Grand Juries in Dublin shall act at Presenting Terms.

CXXXVIII. Provided always, and be it further enacted, That all the Acts and Duties to be performed by the several Grand Juries at the Assizes under this Act may, in the County of *Dublin* and County of the City of *Dublin*, be performed by the Grand Juries at the Presenting Terms duly met and impannelled.

What Parts of this Act shall extend to the Four Courts Marshalsea.

CXXXIX. Provided always, and be it enacted, That this Act shall not extend or be construed to extend to the Marshalsea of the Four Courts of the City of *Dublin*, or to the Marshalsea of the City of *Dublin*, or to the Sheriff's Prison there, save and except such Enactments thereof as expressly relate to the said Prisons respectively, and such as require a Supply of the Dresses, Diet, and Furniture to the poor Prisoners, the Expence of which shall be defrayed out of the same Funds from which the other Expences of the said Prisons respectively are provided to be paid, and also save and except such Enactments of this present Act as relate to the Authority of the Court of King's Bench, and such Enactments as regulate the Office and Authority of the Inspectors General of Prisons.

What Part shall extend to Hulks and Penitentiaries.

CXL. And be it further enacted, That this Act shall not extend or be construed to extend to any Hulks, or to any general Penitentiaries for the Confinement of Persons sentenced to Transportation, other than except such Parts thereof as relate to the Inspection and Report of the Inspectors General to be appointed under this Act.

Act may be amended this Session.

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

Commencement of Act.

CXLII. And be it further enacted, That this present Act shall commence and take effect immediately from and after the First Day of *July* One thousand eight hundred and twenty-six, except in Cases where any other Time is specified.

SCHEDULES to which this Act refers.

SCHEDULE (A.)

Instructions to be prefixed to the Provision Book of every Gaol.

The Grand Jury of each County will determine from Three Descriptions of Dietary, detailed in the Provision Book, which may be most suitable to the Circumstances of the County; and such Dietary is to be posted up in some conspicuous Part of the Prison, and used throughout the Gaol. The Columns under the Head of the Two other Dietary Tables will of course remain blank.

A Pass Book is to be kept with the Contractors for each Article of Provision consumed in the Gaol, in which the Amount of Quantity of each Article is to be entered as it is supplied. When a Payment is to be made, the Provision Book and Pass Books are to be made up, to ascertain that the Quantity used of each Article, together with the Quantity in Store, corresponds with the Quantity laid in, and with the regulated Allowances. The Blank Columns at the End of the Account are intended for any extra Supplies, as where Turf is used as Fuel, or under any other extra Circumstances.

When any Man is placed on Diet below the regulated one, his Allowance of each Article composing the usual Diet will make a Deduction in the Column in which the Amount of that Article is stated; this Deduction from the regular Calculation will be explained by a *N.B.* at the Foot of the Account for the Day; as, for Example, "*N.B.* One Man on Bread and Water."

In Line of "Brought forward," in the Abstract Account, is to be inserted the Total Issue from the Day of last Settlement of the Books.

We approve the Regulations contained in this Book.

Dublin, 18 }

Judges of the
Court of King's Bench.

Marshalsea C...
building, repairs & rents -
S. 7.

Salary of Marshal. S. 119

Salaries of Inspectors, Chaplain, Physicians, Surgeons, Apothecary & other officers, & all articles furnished to poor prisoners - on Cons. Fund - 123.

Dresses, diet & Furniture to poor prisoners &c. now in Consd. by S. 139.



Schedule (A.)—*continued.*

Gaol: DAILY RETURN of Prisoners and Supplies.

NUMBER of CLASS.	No. confined.	Discharged this Day.	Committed this Day.	No. not on Gaol Allowance.	No. of Poor Prisoners.	Sick in Hospital.	Bread Diet:		Potatoe Diet:			Mixed Diet:				Coals issued.	Straw issued, 28lbs. to a Bed.	Hospital Extras:				Salt.		
							Bread, 2lbs. to each Prisoner.	1 Quart of New Milk.	9lbs. to each Man.	1 Pint of New Milk.	1 Pint of Butter Milk.	8 oz. Meal for Stirabout.	4lbs. of Potatoes.	1 Pint of New Milk.	1 Pint of Butter Milk.			Beef for Broth.	Mutton.					
No. 1 - -																								
2 - -																								
3 - -																								
4 - -																								
5 - -																								
6 - -																								
7 - -																								
8 - -																								
9 - -																								
10 - -																								
Sick - -																								
Officers - -																								
Totals -																								

Schedule (A.)—*continued.*

ABSTRACT OF DAILY CONSUMPTION.

	Meal for Stirabout.		Sweet Milk.			Butter Milk.			Beef.		Mutton.		Bread.		Potatoes, lbs.	Coals.			Turf.		Straw.		
	Lbs.	Oz.	Gallons.	Quarts.	Pints.	Gallons.	Quarts.	Pints.	Lbs.	Oz.	Lbs.	Oz.	Lbs.	Oz.		Tons.	Barrels.	Bushels.			Cwts.	Quarters.	Lbs.
Issued this Day																							
Brought forward -																							

SCHEDULE (B.)

ANNUAL INSPECTION RETURN of Bedding, &c. Gaol.

No. of Class.	Rated Number of Prisoners.	Blankets,		Prison Dresses,		Iron Bedsteads, or equivalent,		Bed Tickens,	
		In Store.	Deficient.	In Store.	Deficient.	In Store.	Deficient.	In Store.	Deficient.
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
Hospital									
Total									

I Inspector General of Prisons, do certify, That I have inspected the Bedding, Clothing, and Furniture of the different Classes in the Gaol of and that the following Articles appear to be deficient, from unavoidable Wear and Tear, since last Inspection; viz. Blankets, Bedsteads, Prison Dresses, Bed Tickens; I do therefore direct the Local Inspector of the said Gaol to provide such deficient Articles at reasonable Prices, and to furnish an Account of the Expence thereof to the Collector of Excise at pursuant to an Act made in the Seventh Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act.*]

Inspector General of Prisons.

SCHEDULE (C.)

ANNUAL RETURN of ARTICLES supplied for GAOLS, as ordered by the Inspector General of Prisons.

Description of Articles.	From whom purchased.	No. of Articles.	Amount of each.	Total Amount.
				£ s. d.
Blankets - - - -				
Bed Tickens - - -				
Prison Dresses - - -				
Bedsteads - - -				
Cots - - - - -				
		Total Amount - - - - - £		

A. B. Local Inspector of the Gaol at came before me this Day, and made Oath, That the Articles above stated are a true Account of Articles ordered by the Inspector General of Prisons, for the Use of the said Gaol, pursuant to an Act made in the Seventh Year of the Reign of King George the Fourth, intituled [*here set forth the Title of this Act*], and that the same were in on the best practicable Terms, and are charged at Cost Prices; and that no Profit is made on the Purchase thereof by him or by any other Person for his Use.

Sworn before me, this Day of

Collector of Excise.

SCHEDULE (D.)

QUARTERLY RETURN of Prisoners in Prison,
for the Quarter ending

Prisoners Names.	Whether able to support themselves, or poor Prisoners.	By whom committed.	Date of Committal.	By what written Authority or Document committed.	Crime for what committed.	By whom discharged.	Date of Discharge.	Whether forwarded to any, or what Gaol.	Number of Nights confined.	Amount paid for Subsistence.
									Total Cost of Food - - - - - - - - £	
									Fuel, Candles, and Straw - - - - - - - £	
									Total Amount - - - - - - - £	

County of } *A. B.* Keeper of the Bridewell, came before me this Day, and made Oath on the Holy Evangelists, That the List above stated
to wit. } contains the Names of every Individual who was confined for one Night, or more, in the aforesaid Prison, during the Three Months ending and that the Sums annexed to their respective Names were actually expended in their Support; and that the Prisoners received the different Articles of Provisions at Cost Price, without any Profit or Gain by the Purchase or Sale thereof, to him, or any other Person on his Behalf; and further, that the poor Prisoners were supplied with Diet according to One of the Three Dietary Tables approved according to Law, and which are posted in the said Prison; and further maketh Oath, that the Prisoners who have not received Gaol Allowances have been supplied by their Friends with sufficient Food.

Sworn before me, this Day of Collector of Excise of the District of

SCHEDULE

FORM of ANNUAL RETURN

1. Number of Prisoners the Prison is capable of containing in separate Sleeping Cells.	2. Number of Prisoners the Prison is capable of containing where more than One Prisoner sleeps in One Cell.	3. Total Number of Prisoners.		4. Number of Debtors.		5. Number of Misdemeanants.		6. Number of Felons.		7. Number of Prisoners committed in the Course of the Year.	8. Number of Tried Prisoners.		9. Number of Untried Prisoners.		10. Number of Prisoners above 17 Years of Age.		11. Number of Prisoners under 17 Years of Age.	
		Mich[s] 18	Mich[s] 18	Male.	Female.	Male.	Female.	Male.	Female.		Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.

Note.—The Total of the Columns 4, 5, Column No. 3; and the Aggregate

19.—Whether Common Gaol, House of Correction, or Bridewell?

20.—Under whose Jurisdiction and Superintendence?

21.—Number of Officers, and how appointed?

22.—Number of Classes, Wards, or Divisions, Work Rooms, Day Rooms, and Airing Yards, and whether the same can be extended or increased?

23.—Dietary or other Weekly Allowance, and Weekly Cost per Head?

24.—Allowance of Clothing and Bedding, and Cost per Head?

25.—Description of Employment and Hard Labour?

26.—Hours of Labour and of Exercise?

27.—Amount of Earnings, how applied, and in what Proportion to each Class of Prisoners, to the Officers of the Prison, and to the Fund applicable to the Maintenance of the said Prison?

28.—Whether the Classification required by this Act has been observed? If not, For what Reasons; and what Measures have been taken to remedy this Defect?

29.—What Duties are performed by the Chaplain, what Provision made for Instruction, and whether Prisoners are supplied with Bibles and other Books?

30.—Attendance of the Surgeon, and whether separate Buildings or Apartments are provided for the Sick?

31.—Reasons for Non-employment of Prisoners, with reference to Column 15?

32.—Reasons for Punishments by Gaoler?

33.— Is there any insane Person in Confinement?
State his or her Name, Age, and for what Offence committed?
How long has he or she been in Confinement?
How long has he or she been insane?

34.—General Observations.

(E.)

to the Chief Secretary.

12.	13.				14.		15.	16.				17.		18.		
Greatest Number of Prisoners at one Time.	Number of Prisoners who have been committed before.				Prisoners employed.		Prisoners not employed.	Punishments for Offences within the Prison.				Number of Solitary Cells and of Apartments below Ground.		Cases of Sickness and Death.		
	Once.	Twice.	Three Times.	Four and more.	Hard Labour.	Employment, not being Hard Labour.		Whipping.	In Irons.	Solitary Confinement.	Other Punishments.	Solitary Cells.	Apartments below Ground.	Cases of Sickness in the Year.	Greatest Number of Sick at one Time.	Deaths.

and 6 will be equal to the whole Number of Prisoners in the Prison, expressed in the Second Division of of Columns 5 and 6 will be equal to that of Columns 8 and 9, and to that of Columns 10 and 11.

SCHEDULE (F.)

COUNTY GAOL of Assizes 18 .

RETURN of PRISONERS employed at Hard Labour.

No.	Name of Prisoner.	Nature of Sentence.	Period to which sentenced.	Name of Judge.	Tread Wheel.	Average Number of Hours per Day.	Average No. of Feet Ascent per Day.	Other Species of Labour.	Average No. of Hours per Day.	OBSERVATIONS.
										Member of Board of Superintendence.
										Local Inspector.
										Keeper of the Gaol.

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