'*of applying for a Sale of Lands under the Act for facilitating the Sale and Transfer of* '*Incumbered Estates in* Ireland: And whereas a certain other Act was passed in the 'Session of Parliament holden in the Sixteenth and Seventeenth Years of the Reign of 'Her Majesty, intituled *An Act for continuing and amending the Act for facilitating the* 16 & 17 Vict. '*Sale and Transfer of Incumbered Estates in* Ireland: And whereas a certain other Act c. 64. 'was passed in the Session of Parliament holden in the Eighteenth and Nineteenth Years 'of the Reign of Her Majesty, intituled *An Act to extend the Period for applying for a* 18 & 19 Vict. '*Sale under the Acts for facilitating the Sale and Transfer of Incumbered Estates in* c. 73. 'Ireland: And whereas the extended Period within which it should be lawful to make 'such Applications under said Acts as are mentioned in Section Eleven of said thirdly-'recited Act of the Sixteenth and Seventeenth Years of Her Majesty was limited to 'Three Years from the Twenty-eighth Day of *July* One thousand eight hundred and 'fifty-three: And whereas it is expedient that said Period should be further extended, and 'that the said firstly and thirdly recited Acts of the Twelfth and Thirteenth and of the 'Sixteenth and Seventeenth Years of Her Majesty should be amended:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Period for Applications for Sale further extended.

I. All such Applications under the said recited Acts or any of them as are mentioned in Section Eleven of the said thirdly-recited Act of the Sixteenth and Seventeenth Years of Her Majesty, and which are by said lastly-recited Act of the Eighteenth and Nineteenth Years of Her Majesty authorized to be made within Three Years from the Twenty-eighth Day of *July* One thousand eight hundred and fifty-three, may be made within Five Years from the said Twenty-eighth Day of *July* One thousand eight hundred and fifty-three; and all Orders and Proceedings by the said Acts or any of them authorized, and which might be made, had, or taken upon any Application made within the said Period of Three Years, may be made, had, and taken within the further Period authorized by this Act.

So much of Section 51 of 12 & 13 Vict. c. 77. as to Appeals repealed.

Appeals may be made as of Right.

II. So much of Section Fifty-one of the said firstly-recited Act of the Twelfth and Thirteenth Years of Her Majesty as provides that an Appeal may be made against any Order of the Commissioners only when the Commissioners allow Appeal is hereby repealed; and it is hereby enacted, that all such Appeals may be made as of Right, and without the Allowance of the Commissioners; and the Costs of such Appeals shall be in the Discretion of the Court by which such Appeals shall be decided; and such Court is hereby authorized and empowered to make such Orders in respect of such Costs as to it shall seem fit and proper.

CAP. LXVIII.

An Act to further amend the Laws relating to Prisons in *Ireland*.

[21st *July* 1856.]

'WHEREAS an Act was passed in the Seventh Year of King *George* the Fourth, 'Chapter Seventy-four, intituled *An Act for consolidating and amending the Laws* 7 G. 4. c. 74. '*relating to Prisons in* Ireland: And whereas an Act was passed in the Sixth and Seventh 'Years of King *William* the Fourth, Chapter Fifty-one, intituled *An Act for converting the* 6 & 7 W. 4. 'Richmond *General Penitentiary into one of the Prisons of the County of the City of* Dublin, c. 51. '*and to amend the Law relating to Prisons in* Ireland: And whereas an Act was passed in 'the Third and Fourth Years of Her Majesty, Chapter Forty-four, intituled *An Act to* 3 & 4 Vict. '*amend an Act of the Seventh Year of King* George *the Fourth, for consolidating and amending* c. 44. '*the Laws relating to Prisons in* Ireland: And whereas an Act was passed in the Fifth and 'Sixth Years of Her Majesty, Chapter Ninety-five, intituled *An Act for consolidating the* 5 & 6 Vict. '*Four Courts Marshalsea* Dublin, *Sheriff's Prison* Dublin, *and for regulating the Four* c. 95.

'*Courts*

'*Courts Marshalsea, in* Ireland: And whereas an Act was passed in the Twelfth and 'Thirteenth Years of Her Majesty, Chapter Ninety-seven, intituled "The *Dublin* Improve- 'ment Act, 1849," the Fifty-first Section of which alters and amends the said recited Act of 'the Sixth and Seventh Years of King *William* the Fourth: And whereas it is expedient 'further to amend the Laws relating to Prisons in *Ireland:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

12 & 13 Vict. c. 97.

Recited Acts, so far as in force, to be construed with this Act.

I. The said recited Acts of the Seventh Year of King *George* the Fourth, the Sixth and Seventh Years of King *William* the Fourth, Third and Fourth Years of Her Majesty, the Fifth and Sixth Years of Her Majesty, and the said Fifty-first Section of the "*Dublin* Improvement Act, 1849," so far as the same respectively are now in force, and this Act, shall be construed together as One Act.

Interpretation of Terms.

II. In the Construction and for the Purposes of this Act (if not inconsistent with the Context or Subject Matter), the following Terms shall have the respective Meanings herein-after assigned to them; (that is to say,)

"Lord Lieutenant" shall mean and include the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being:

"Prisons Act" shall mean the said Act of the Seventh Year of King *George* the Fourth, Chapter Seventy-four:

"County" shall extend to and include any City, County of a City, or County of a Town or City, and County of any Place, as the Case may be:

"County Gaol" shall be understood to mean the Common Gaol of any such County:

"Prison" shall include Gaol, Bridewell, and House of Correction:

"Person" shall include Corporation, whether sole or aggregate:

"Grand Jury" shall, as regards any Borough of which the Council is authorized by Law to make Presentments for the Prisons thereof, be held to include such Council:

"Assizes," as regards the County of *Dublin*, shall be held to mean Presenting Term:

"Treasurer of the County" shall, as regards the County of *Dublin*, mean the Finance Committee:

"Governor" shall include Keeper:

"Board of Superintendence" shall mean the Board of Superintendence to be appointed by any Grand Jury or Council under the said recited Acts or this Act.

Jurisdiction of Queen's Bench under Prisons Act transferred to Lord Lieutenant.

III. From and after the passing of this Act all the Powers, Rights, Authority, and Jurisdiction now vested in or exercised by Her Majesty's Court of Queen's Bench in *Ireland*, or the Judges thereof, or any One or more of them, by virtue of the said recited Acts or any of them, over or with respect to the Four Courts Marshalsea, or any County Prison in *Ireland*, whether Gaol, Bridewell, or House of Correction, or the Prisoners therein, or any Matter relating to such Marshalsea, Prison, or Prisoners, shall be transferred to and vested in and exercised and performed by the Lord Lieutenant as fully and effectually to all Intents and Purposes as if the said Lord Lieutenant had been named in the said recited Acts instead of the said Court of Queen's Bench or the Judges thereof, or any One or more of them; and all the Provisions of the said recited Acts or any of them directing any Function or Duty to be exercised or performed by, or any Matter or Thing to be done by or with the Approbation of the said Court of Queen's Bench in *Ireland* or the Judges thereof, or any One or more of them, in relation to or concerning the said Marshalsea or any such County Prison as aforesaid, or the Prisoners therein, shall, from and after the passing of this Act, be deemed and taken to apply and extend to the said Lord Lieutenant, instead of the said Court of Queen's Bench or the Judges thereof, or any One or more of them; and the said Lord Lieutenant shall thenceforward have, exercise, and perform all the same Powers, Rights, Authority, and Jurisdiction in respect of the said Marshalsea or any such Prison or Prisoners, or any Matter relating to the same, as might have been exercised or performed under the said recited Acts or any of them by the said Court of Queen's Bench or the Judges thereof, or any One or more of them, in case this Act had not been passed:

Provided

Provided, that nothing in this Section contained shall be construed to limit or affect the Duties or Powers of the said Court of Queen's Bench, and all and every Judge and Judges of Assize and General Gaol Delivery in Ireland, under Sections One hundred and thirty-one, One hundred and thirty-two, One hundred and thirty-three, and One hundred and thirty-four of the Prisons Act; and provided further, that the Judges of Her Majesty's Court of Queen's Bench, Common Pleas, and Exchequer, or of Her Majesty's High Court of Chancery or Admiralty, and the Commissioners of the Court of Bankruptcy, and the Commissioners of the Court for Relief of Insolvent Debtors in *Ireland*, shall have and exercise the same Powers with respect to ordering the Marshal of the Four Courts Marshalsea to take into Custody any Person committed by them respectively, or to bring before them respectively any Prisoner in his Custody, which the said Judges now have with respect to the Marshal of the said Four Courts Marshalsea.

Sect. 4. of 7 G. 4. c. 74. and Sect. 1. of 3 & 4 Vict. c. 44. repealed.

IV. 'Whereas by the Fourth Section of the Prisons Act and by the First Section of 'the said recited Act of the Third and Fourth Years of Her Majesty, Chapter Forty-four, 'Provision is made for the Enactment of Byelaws for Prisons, and it is expedient to amend 'the same:' The Fourth Section of the Prisons Act and the First Section of the said Act of the Third and Fourth Years of Her Majesty, Chapter Forty-four, shall from and after the passing of this Act be repealed, save as to anything heretofore done under the same;

Board of Superintendence with Approval of Grand Jury and Lord Lieutenant to make Byelaws.

and it shall be lawful for the Board of Superintendence of any Prison from Time to Time to alter, amend, or repeal the existing Byelaws, and to make new Byelaws for any such Prison under their Superintendence, or the Prisoners therein confined, and from Time to Time to repeal, alter, or add to such Byelaws, and to make others, and the same, when approved of by a Grand Jury of the County, or in the Case of a Borough having Jurisdiction over the Prisons of such Borough by the Council thereof, shall be submitted to the Lord Lieutenant, and it shall be lawful for the Lord Lieutenant, if he shall so think fit, to alter such Byelaws, or to make Byelaws additional thereto, and to certify under the Hand of the Chief or Under Secretary for *Ireland* that such Byelaws as submitted to him, or altered or added to, are proper to be enforced, and said Byelaws, when so approved and certified, shall be printed and posted in the Prison, and obeyed as the Standing Regulations of such Prison;

In case the Board of Superintendence shall neglect to make Byelaws, Lord Lieutenant may make them.

and in case the Board of Superintendence shall refuse or neglect, for the Space of Three Calendar Months after being required so to do by the Inspectors General of Prisons, to make such Byelaws as aforesaid, or any such Byelaws as to the Lord Lieutenant may appear necessary or expedient for any Prison under their Superintendence or the Prisoners therein, then and in such Case it shall be lawful for the Lord Lieutenant, by Writing under the Hand of the Chief or Under Secretary for *Ireland* for the Time being, to make such Byelaws, and from Time to Time to repeal, alter, or add to such Byelaws, and to make others, and to declare that the said Byelaws shall be in addition to or in substitution for any Byelaws theretofore in force in any such Prison, or any Part of such Byelaws; and the said Byelaws so to be made by the Lord Lieutenant shall be printed and posted in the Prison, and shall be obeyed as the Standing Regulations of such Prison, either in addition to or in substitution for the existing Byelaws of such Prison, as the Lord Lieutenant shall in that Behalf declare, and shall be of the same Force and Effect to all Intents and Purposes as if they had been originally made by the Board of Superintendence of the County, and approved of by the Grand Jury of the County;

Local Inspector to see that Byelaws are observed.

and it shall be lawful in such Byelaws to provide for the Classification of Prisoners of each Sex in any Prison, or for the individual Separation of all or any of the Prisoners confined therein, with due Regard to their proper Supervision, religious and moral Instruction and Employment; and it shall be the Duty of the Local Inspector of every Prison to see that the Byelaws and Rules for the Time being in force in such Prison shall be observed and carried into effect, and no Magistrate shall have Authority to alter or add to the same, or in any Manner, save as in this Act provided, to interfere with the Discipline of the Prison: Provided always, that any such Byelaws so to be made by the Board of Superintendence of any such joint Prison as is in this Act mentioned shall not require to be approved of by any Grand Jury, or by the Council of any Borough.

Board of Superintendence to report Fire

V. In case of any Fire or other sudden Accident happening in or to any County Prison, Gaol, Bridewell, or House of Correction in the Fourteenth Section of the Prisons Act mentioned

or sudden Accident to Inspectors General.

Report of Completion of Works to be forwarded to Inspectors General.

Annual Returns to be in the Form in Prisons Act, &c.

mentioned, or any Part thereof respectively, the Board of Superintendence of such Prison shall, as soon thereafter as conveniently may be, forward a Report of such Fire or sudden Accident to One of the Inspectors General of Prisons in *Ireland;* and whensoever any such Building or other Work as is mentioned in the Forty-third Section of the Prisons Act shall be completed or finished, the Commissioners in the same Section mentioned shall, so soon thereafter as conveniently may be, forward a Report of the Completion of such Work to the said Inspectors General of Prisons; and the annual Return of the State of every Gaol, Bridewell, House of Correction, or other County Prison, which the Gaoler of the same is, by the Fifty-seventh Section of the Prisons Act, directed to transmit to One of the said Inspectors General of Prisons, shall be in the Form in the same Section mentioned, or in such other Form as the Lord Lieutenant shall from Time to Time in that Behalf direct.

Commissioners to be appointed under Prisons Act reduced.

VI. The Number of Commissioners to be appointed by the Lord Lieutenant under the Fifty-second Section of the Prisons Act shall be reduced from the Number of not less than Six nor more than Twelve to not less than Three nor more than Six.

Prisons may be lighted with Gas.

VII. It shall be lawful for the Grand Jury of any County, if they shall so think proper, to cause any Prison within their County, or any Rooms or Parts of any such Prison, to be lighted with Gas, or warmed and aired or ventilated by means of Stoves or artificial Heat, or other artificial Means, and to make and enter into any Contract for such Purposes with any Person or Company, and at any Assizes or Presenting Term to present, to be raised off their County, such Sum or Sums of Money as shall be required for the Construction or laying down of the Pipes or Tubes or other Apparatus necessary for such Purposes, or either of them, and also from Time to Time to present, to be raised off their County, such Sum or Sums of Money as shall be necessary for the Maintenance or Repair of such Pipes, Tubes, or other Apparatus, or for procuring such Gas or artificial Heat.

Sects. 20. and 21. of the Prisons Act repealed.

As to building, rebuilding, altering, and enlarging Prisons.

VIII. The Twentieth and Twenty-first Sections of the Prisons Act shall, from and after the passing of this Act, be repealed, except as to anything heretofore done under the same; and before any Grand Jury of a County, or any Commissioners appointed by them, shall commence to build or rebuild, or to alter or enlarge any Gaol, Bridewell, House of Correction, or other County Prison, they shall transmit to the Lord Lieutenant the Plan and Specification of such proposed Building, Alteration, or Enlargement, or a Copy or Facsimile of such Plan and Specification (the same having been previously approved of by the Grand Jury), together with the Report thereon of the Inspectors General of Prisons, or One of them, and such other Reports or Certificates as the said Lord Lieutenant shall require and direct; and notwithstanding anything in the Prisons Act or this Act contained, it shall not be lawful for any Grand Jury, or any Commissioners appointed by them, to commence any such Building, Rebuilding, Alteration, or Enlargement, unless and until the Plan and Specification of the same shall be agreed to and approved of by the Lord Lieutenant; and it shall and may be lawful for the Commissioners appointed by the Grand Jury, and they are hereby authorized and empowered to enter into Contracts for the Execution of any such Work as in the Prisons Act or this Act is authorized to be executed, after the Plan or Specification thereof shall have been approved, as herein directed, first by the Grand Jury and then by the Lord Lieutenant, and every such Contract shall be made at the most reasonable Price which shall be proposed by such Contractor as shall be deemed by the said Commissioners appointed by the Grand Jury the most responsible and proper Person to execute such Contract, and every such Contract 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 said Commissioners, be delivered to the Clerk of the Peace of the County for the Time being, who is hereby required thenceforward to keep the same among the Records of the said County.

Sect. 91. of Prisons Act repealed. Bridewells to be built in Towns in which Criminal Sessions are held.

IX. The Ninety-first Section of the Prisons Act shall, from and after the passing of this Act, be repealed, except as to anything heretofore done under the same; and it shall be lawful for each and every Grand Jury in *Ireland,* and they are hereby respectively required from Time to Time hereafter, to make Presentments for building One Bridewell of competent Size in each and every Town within their respective Counties which is, or from Time to Time hereafter shall be, duly appointed for holding Quarter Sessions for the Transaction of Criminal Business.

X. So

X. So much of the Sixty-fifth Section of the Prisons Act as provides that the Local Inspector shall be removable by the Grand Jury, with the Approbation of the next going Judge of Assize, and the whole of the Seventy-fifth Section of the said Act, are hereby repealed: Provided that such Repeal of the said Seventy-fifth Section shall not be construed to prevent any Person holding the Offices of Local Inspector and Chaplain at the passing of this Act from continuing to hold the same Offices for such Time and in such and the same Manner as if this Act had not been passed: Provided also, that no Clergyman or ecclesiastical Person of any religious Persuasion shall be hereafter appointed to the Office of Local Inspector.

Sects. 65. and 71. of Prisons Act partly, and Sect. 75. wholly repealed.

No Ecclesiastic to be appointed Local Inspector.

XI. It shall be lawful for any Chaplain of any County Prison, in the Case of his Sickness or unavoidable Absence, to appoint a Clergyman of his own religious Persuasion, who shall have been approved of by the Board of Superintendence of the County Gaol, to be his Substitute for the Occasion, and the Name and Residence of such Substitute shall be specified in the Chaplain's Journal; and every Chaplain, and every such Substitute as aforesaid, shall communicate from Time to Time to the Board of Superintendence of the County Gaol any Abuse or Impropriety which shall have come to his Knowledge; and the Journal kept by such Chaplain shall be kept in the Prison, and shall regularly be laid before the Board of Superintendence at every Meeting of such Board, and shall be signed by the Chairman of such Board in Proof of the same having been there produced.

Chaplain may, in certain Cases, appoint Substitute.

Chaplain, &c. to report Abuses and keep a Journal.

XII. In addition to the Articles authorized or required, under the Seventy-sixth Section of the Prisons Act, to be presented and provided for Prisoners confined in any Gaol, Bridewell, House of Correction or other County Prison, the respective Grand Juries at the Assizes or Presenting Terms, and in the Case of the City of *Dublin* the Council of the Borough of *Dublin*, are hereby authorized, if they shall think fit, to present for and provide Cots and Hammocks for the Use of such Prisoners, and the same shall in such Case be presented, paid for, and supplied in the like Way as the Articles in the said Section of the said Act mentioned; and in addition to the Bedding to be allowed to poor Prisoners mentioned in the Seventy-eighth Section of the said Act, One Pair of Sheets shall be allowed to each Bed.

Power to Grand Juries to present for and provide Cots and Hammocks for Use of Prisoners.

Sheets to be allowed, in addition, to each Bed.

XIII. The Prison Dresses in the Seventy-eighth Section of the Prisons Act mentioned, shall be worn by all Prisoners (whether of Ability to maintain themselves or not) who shall be sentenced to undergo any Term of Imprisonment exceeding One Month, unless the Board of Superintendence of the Prison wherein such Prisoners shall be confined shall, by a special Order in Writing entered on the Minutes of their Proceedings, and signed by a Majority of the Members of the said Board present at a Meeting thereof duly convened for the Purpose, otherwise direct: Provided nevertheless, that in all such Cases as last aforesaid, the Board shall enter upon their Minutes the special Circumstances under which such Order shall have been made, and shall forthwith furnish to the Inspectors General of Prisons a Statement or Report of such Circumstances, and of the Offence for which the Person respecting whom such Order shall have been given was sentenced, and of the Date and Particulars of such Sentence; and provided further, that if upon any such Statement or Report being transmitted to the Lord Lieutenant by the Inspectors General of Prisons, it shall appear to the Lord Lieutenant that the special Order therein mentioned of the Board of Superintendence was not required or justified by the Circumstances in the said Statement or Report set forth, it shall be lawful for the Lord Lieutenant, if he shall think proper so to do, by Order in Writing (under the Hand of the Chief or Under Secretary for *Ireland* for the Time being), to rescind any such special Order of the Board of Superintendence, and to direct that the Prison Dresses in the said Seventy-eighth Section of the Prisons Act mentioned, shall be worn by the Prisoner or Prisoners, or any of them, in the said special Order mentioned.

Prison Dresses shall be worn by all Prisoners unless Board of Superintendence shall otherwise, by special Order, direct.

Power to Lord Lieutenant to rescind special Order of Board.

XIV. It shall be lawful for the Governor of any County Prison, if he shall at any Time deem it improper or inexpedient to allow any Prisoner to associate with the other Prisoners of the Class to which he or she may belong, to confine such Prisoner with any other Class or Description of Prisoner, or in any other Part of the Prison, until he shall receive the Directions of the Board of Superintendence in respect to such Prisoner, and in every Case in which he shall so confine or separate any Prisoner, he shall apply with as little Delay as possible

Power to Governor to confine Prisoner with a Class different from his own.

possible to the Board of Superintendence for Directions in respect of such Prisoner, and the said Board shall in every such Instance ascertain whether the Reasons assigned by the Governor warrant such a Deviation from the established Rules, and shall give such Orders as they shall, under the Circumstances of the particular Case, think proper, in reference to the future Custody of the said Prisoner.

Unconvicted Persons may purchase Food at their own Expense.

XV. Unconvicted Prisoners of Ability to maintain themselves shall be at liberty to purchase and provide, at their own Expense, sufficient cooked Food of a simple and wholesome Nature, subject to such Restrictions and Regulations as to the Nature, Quantity, and Quality of such Food as the Board of Superintendence may deem proper, anything in the Prisons Act to the contrary notwithstanding: Provided nevertheless, that such Prisoner shall not be allowed to obtain, procure, have, or use any Wine or Spirituous Liquors, except the same shall be ordered for him or her by the Medical Officer of the Prison.

Convicted Prisoners shall be supplied with Food at Public Expense.

XVI. Every convicted Prisoner in any Prison in *Ireland*, whether of Ability to maintain himself or herself or not, shall be supplied with Food at the Public Expense, and it shall not be lawful for any such Prisoner to use, accept, or receive any Food or Liquor other than the Prison Allowance supplied under the Prisons Act and this Act, unless in such Cases as the Medical Officer of such Prison shall, by Certificate under his Hand, declare that some other Food or Liquor shall be necessary for such Prisoner, and in such Case the Reasons for granting such Certificate shall be inserted by such Medical Officer in his Journal; and if such other Food or Liquor so to be ordered by such Certificate shall be continued for any Time exceeding One Week from the Date of such Certificate, a Notice thereof in Writing shall be given by such Medical Officer to the Inspectors General of Prisons: Provided always, that such convicted Prisoners shall, unless when sentenced to Hard Labour, be allowed to pay to the Board of Superintendence the Expense of such their Prison Allowance in order to obtain an Exemption from any Work or Labour which would or might otherwise be required from them towards Payment of the Expenses of such Prison Allowance of Food.

Deputy Marshal, Hatchmen, and inferior Officers of Four Courts Marshalsea to be appointed by Lord Lieutenant.

XVII. So much of the One hundred and twenty-third Section of the Prisons Act as provides 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, is hereby repealed, and such Deputy Marshal, Hatchmen, and inferior Officers as aforesaid shall, from and after the passing of this Act, be appointed and removable at the Will and Pleasure of the Lord Lieutenant, and the Deputy Marshal, Hatchmen, and inferior Officers holding Office at the Time of the passing of this Act on the Appointment of the Marshal shall be also removable at the Will and Pleasure of the Lord Lieutenant, and it shall be lawful for the Commissioners for the Time being of Her Majesty's Treasury to order that such Deputy Marshal, Hatchmen, and inferior Officers, whether so holding Office on the Appointment of the Marshal, or to be appointed under this Act, shall be paid such Salaries as the Lord Lieutenant with the Sanction of the said Commissioners shall in that Behalf direct; and such Salaries shall from Time to Time be paid out of any Monies appropriated or which may be appropriated by Parliament for the Purpose, and thereupon the Payment of any Salaries to such Officers by the Marshal shall cease, and the annual Salary payable to the Marshal under the Prisons Act shall be reduced by such Amount as shall be equivalent to the aggregate Amount of the annual Salaries which shall have been heretofore paid by him to the said Deputy Marshal, Hatchmen, and inferior Officers.

All Prison Officers to be appointed by Board of Superintendence.

XVIII. The Governor or Keeper, Local Inspector, Chaplains, Medical Officer, Deputy Governor, Turnkeys, and all other Officers, both Male and Female, to be appointed at any Time after the passing of this Act, to or for any County Prison, whether Gaol, Bridewell, or House of Correction, or to and for any such joint Prison as is herein-after mentioned, shall, with the Exception herein-after in that Behalf specified, be from Time to Time appointed by the Board of Superintendence, any Provision in the Prisons Act or any other Act or Acts, or any Law, Usage, or Custom, to the contrary notwithstanding; but if the Board of Superintendence shall neglect to appoint any such Governor or Keeper, Inspector, Chaplains, Medical or other Officer as aforesaid, for the Space of Two Months after they shall

shall have been required by the Inspectors General of Prisons or either of them, by Writing under their or his Hand, so to do, it shall be lawful for the Lord Lieutenant, if it shall seem to him expedient, to appoint any fit or proper Person or Persons to fill such Office or Offices; and the Salaries of all such Officers respectively shall be raised and paid in like Manner, and subject to the same Provisions, as the Salaries of such or the like Officers have been and are payable before and at the Time of the passing of this Act, save as in this Act otherwise expressed: Provided that the Appointment of any such Officers other than the Chaplains and the Medical Officer shall not be deemed valid or effectual until the same shall have been approved of in Writing by the Lord Lieutenant of *Ireland*, under the Hand of the Chief or Under Secretary: Provided further, that nothing in this Section contained shall apply to the Officers of the *Richmond* Bridewell in *Dublin*, or of the *Grange Gorman* Female Penitentiary in *Dublin*, or interfere with or affect the Powers of the Person or Persons now by Law entitled to appoint the Governor or any other Officers of such Bridewell and Penitentiary respectively.

Not to extend to Richmond Bridewell or Grange Gorman Female Penitentiary.

XIX. The Appointment by any Board of Superintendence under the Provisions of this Act of any Officer of any such Prison, other than the Chaplains or Medical Officer, shall be probationary only, and shall not be or become absolute until the same shall be confirmed at a Meeting of the Board of Superintendence duly summoned and held for that Purpose, not sooner than Three Months after the Meeting at which such probationary Appointment shall have been made: Provided always, that no such Confirmation of the Appointment of any Officer shall be made at such last-mentioned Meeting unless Two Thirds of the Members of such Board shall be present, and the Majority of the Members present shall concur in such Ratification or Confirmation, nor unless the Local Inspector and the Governor of the Prison to which such Officer shall have been appointed shall have certified under their Hands, or, in the Case of the Governor, unless the Local Inspector, or, in the Case of the Local Inspector, unless the Governor, shall have certified under his Hand to the said Board of Superintendence that the Conduct of such Officer since his or her probationary Appointment to the said Gaol has been in all respects correct and proper, and that such Officer is in the Opinion of the said Governor and Local Inspector, or of the said Governor or Local Inspector alone, as the Case may be, a fit, proper, and efficient Person to be appointed to the Office the Duties of which he shall have been discharging in pursuance of his probationary Appointment; and the said Board of Superintendence shall enter such Certificate upon their Minutes, and shall forthwith transmit a Copy of such Certificate to the Inspectors General of Prisons.

Appointments of Prison Officers other than Local Inspector, Chaplain, or Medical Officer, to be probationary in the first instance.

XX. Every Person who shall be nominated or appointed as herein-before provided to the Office of Governor of any Prison by the Board of Superintendence shall, immediately after his Nomination to such Office and before he shall enter upon the Duties thereof as such probationary Officer as aforesaid, enter into a Recognizance, with Two sufficient Sureties to be approved of by the Clerk of the Peace of the County or One of the Counties to which such Prison shall belong, before some Justice of the Peace (and which Recognizance each and every Justice of the Peace is hereby empowered to take), in such Sum as the Board of Superintendence shall direct, the Condition of which Recognizance shall be that such Governor shall duly and faithfully discharge the Duties of his Office in every respect during such Time as he shall continue to hold the same, and shall indemnify and save harmless every Sheriff and every other Person from all Loss, Costs, Damages, and Expenses which any such Sheriff or other Person shall incur, sustain, or be liable to by reason of any Escape of any Prisoner in the Charge of such Governor, or by reason of any Act, Neglect, or Default of such Governor; and every Person who at the Time of the passing of this Act shall be the Governor of any County or joint Prison shall, on or before the Thirty-first Day of *December* One thousand eight hundred and fifty-six, enter into a Recognizance, with Two such Sureties as aforesaid, before some Justice of the Peace (and which Recognizance each and every Justice of the Peace is hereby authorized to take), conditioned as herein-before enacted, in such Sum as the Board of Superintendence shall in manner aforesaid direct; and in case any such Governor as last mentioned shall neglect or omit to enter into such Recognizance as herein-before directed, on or before the said Thirty-first Day of *December* One thousand eight hundred and fifty-six, then and in every such Case the Person thus neglecting or omitting so to do shall, upon and from and after the said Thirty-first Day of *December* One thousand

Governor to give Security for faithful Discharge of Duties.

thousand eight hundred and fifty-six, cease to hold the Office of Governor of the Prison theretofore held by him; and the Board of Superintendence of such Prison shall forthwith proceed to appoint a Governor in his Stead, under the Powers and in the Manner in that Behalf herein-before given and directed: Every Recognizance taken under this Act shall be transmitted by the Justice of the Peace before whom the same shall be acknowledged to the Clerk of the Peace of the County, or One of the Counties, to which such Prison shall belong; and in case the same shall at any Time become forfeited, such Process shall and may issue thereon as in such Cases usual; and any Money that shall be recovered thereon shall belong and be paid to the Sheriff or other Person who has sustained or shall be liable to any Loss, Costs, Damages, or Expenses by the Act or Default in respect of which such Money shall be recovered.

Governor may be required to give additional Security.

XXI. It shall be lawful for the Board of Superintendence, in the event of the Death, Bankruptcy, Insolvency, or Failure of the Sureties of any such Governor, or of either of such Sureties, or on the Application of the Sheriff, or otherwise at their Discretion, to order that such Governor shall give additional Security by Recognizance to such Amount as to such Board shall seem fit, and thereupon such Governor shall, within One Month from the Date of such Order, enter into an additional Recognizance, conditioned as in the last Section is specified, with new additional Sureties, to be approved of by the Clerk of the Peace; and such Recognizance shall be entered into and dealt with in all respects in like Manner as is directed in relation to the Recognizance in the preceding Section specified; and if such Governor shall neglect or fail to comply with such Order within the Time aforesaid he shall thereupon cease to hold the Office of Governor of such Prison, and the Board of Superintendence shall in manner aforesaid proceed to appoint a Governor in his Stead.

Governor, &c. of any Prison may be removed by Board of Superintendence.

XXII. Every Governor, Local Inspector, Chaplain, Medical Officer, and every Officer, Male or Female, of any Prison, whether Gaol, Bridewell, or House of Correction, shall be removable, and may be from Time to Time, as Occasion may require, removed by the Board of Superintendence of the Prison to which they belong: Provided always, that in case the Inspectors General of Prisons, or One of them, shall, by Writing, under their or his Hand, certify to the Lord Lieutenant of *Ireland* any Misconduct or Incapacity on the Part of any Governor, Local Inspector, Chaplain, Medical Officer, or any other Officer, Male or Female, for or of any One such County or Joint Prison, or his or her Unfitness to discharge and fulfil the Duties of his or her Office, it shall be lawful for the Lord Lieutenant, by Writing under the Hand of the Chief or Under Secretary for *Ireland*, to direct the Board of Superintendence having Authority in that Behalf to hold an Inquiry into and investigate on Oath the Case of the Officer so charged with Incapacity, Misconduct, or Unfitness, and the said Inspectors General, or One of them, may be present and take Part in such Investigation and Inquiry; and the said Board of Superintendence shall report to the Lord Lieutenant their Opinion on the said Matter, and shall forward to the Lord Lieutenant a Copy of the Evidence taken by them; and it shall be lawful for the Lord Lieutenant, after he has received the said Report and Evidence, by Writing under the Hand of the Chief and Under Secretary for *Ireland*, to direct the said Board of Superintendence to remove or dismiss any Governor, Local Inspector, Chaplain, or Medical Officer, or any other Officer, Male or Female, whose Misconduct, Incapacity, or Unfitness shall have been made the Subject of the aforesaid Investigation or Inquiry; and if the said Board of Superintendence shall refuse to dismiss such Officer, when required so to do as aforesaid by the Lord Lieutenant, it shall be lawful for the Lord Lieutenant by Writing under the Hand of the Chief or Under Secretary, to remove or dismiss such Officer; and in every Case of such Removal of any such Officer the Lord Lieutenant shall cause Notice to be given to the Board of Superintendence having Authority in that Behalf, requiring them to appoint another Person in the Room of the Officer so removed, and the said Board of Superintendence shall thereupon proceed to make such Appointment at a Meeting to be duly convened for that Purpose within One Month from the Receipt of such Notice: Provided always, that nothing in this Section contained shall extend or apply to the *Richmond* Bridewell in *Dublin*, or to the *Grange Gorman* Female Penitentiary in *Dublin*, or interfere with or affect the Powers of the Persons now entitled thereto to dismiss the Officers of the said Bridewell and Penitentiary respectively.

XXIII. ‘Whereas

Provisions of Acts authorizing Superannuation of certain Officers of Prisons extended to all Officers thereof.

XXIII. 'Whereas by Section One hundred and twenty-five of the Act of the Sixth and Seventh Years of His late Majesty King *William* the Fourth, Chapter One hundred and sixteen, and the Fifth Section of the said recited Act of the Third and Fourth Years of Her present Majesty, Chapter Forty-four, Provision is made for the Superannuation of the Keepers, Turnkeys, and Matrons of the Prisons to which the said Sections apply, and it is expedient to extend the said Sections to all other Officers of the said Prisons, Medical Officers included, whether such Medical Officers act in virtue of their Office as Surgeon of the County Infirmary, or by direct Appointment as Medical Officer of the Gaol, and to all Officers of the Prisons to which this Act may apply:' Be it therefore enacted, That the said Sections of the said Acts of the Sixth and Seventh *William* the Fourth, and Third and Fourth of Her present Majesty, shall extend to and include all Officers of the Prisons to which the said Sections of the said Acts or this Act apply.

Governor of County Gaol shall be Governor of House of Correction.

XXIV. So much of Section Eighty-nine of the Prisons Act as provides that it shall be lawful for the Grand Jury to appoint a Keeper or Governor of such House of Correction, as is in the said Section mentioned, is hereby repealed, and from and after the passing of this Act the Person to be appointed Governor of the County Gaol shall be and shall be appointed to be Governor also of such House of Correction: Provided that any Keeper appointed before the passing of this Act of any such House of Correction shall continue to be such Keeper, with the like Salary, and to perform the like Duties, as if this Act had not been passed.

Section 93. of Prisons Act repealed, and Local Inspector of County Gaol to be Local Inspector of Bridewells.

Power to Justices to appoint auxiliary Board of Superintendence of Bridewell.

XXV. From and after the passing of this Act the Ninety-third Section of the Prisons Act shall be repealed; and the Local Inspector of the Gaol of any County or of any such joint Prison as is herein-after mentioned shall be *ex officio* the Inspector of all the Bridewells in the same County or in the County and Borough to which such joint Prison shall belong, and such Local Inspector shall direct and superintend the Supply of every such Bridewell with Necessaries, and the Prisoners in every such Bridewell shall be supplied with such Necessaries in the same Manner in the like Cases, under the same Regulations, and out of the same Funds as the Prisoners in the County Gaol are authorized to be supplied; and in addition to the Board of Superintendence of the County Gaol, and without Prejudice to the Authority vested in such Board by the Prisons Act and by this Act, the Justices of the Peace, or any Two of them, selected by the Board of Superintendence, attending the Petty Sessions of any Petty Sessions District in which any Bridewell (other than a District Bridewell) is situate, are hereby constituted an auxiliary Board of Superintendence of such Bridewell for the following Purposes only; that is to say, for the Purpose of inspecting such Bridewell, and of reporting to the Board of Superintendence in relation to the Repairs of such Bridewell, the Supply of Necessaries therein, the Cost of Dietary according to the average Prices in the neighbouring Markets, the keeping of the Registry and List of Committals, and as to all Matters affecting the Health and Discipline of the Prisoners in such Bridewell; and such Justices and every of them shall have full Power and Authority from Time to Time to inspect the said Bridewells, and report to the Board of Superintendence all such Matters and Things as may seem fit and proper to be communicated to such Board, or to be known by them.

Part of Sect. 94. of Prisons Act repealed.

Prisoners may be committed to and detained in Bridewells in certain Cases.

XXVI. So much of the Ninety-fourth Section of the Prisons Act as provides that Prisoners may be detained in any Bridewell distant more than Twelve Miles from any County Gaol or District Bridewell until the First Week in the Calendar Month next after the Committal, is hereby repealed; and it shall be lawful to commit and detain in any Bridewell (other than a District Bridewell), which shall be distant more than Fifteen Miles from the County Gaol or from a District Bridewell, any Prisoner committed or sentenced for any Period not exceeding One Week: Provided always, that this Enactment shall not apply to any Bridewell, unless and until the Inspectors General of Prisons or One of them shall have certified in Writing under their or his Hand, to the Chief or Under Secretary of the Lord Lieutenant, that such Bridewell is fully sufficient for the safe Custody of the Prisoners and the Separation of the Sexes, and is duly provided with Water and Sewerage, and that the Day Room and Cells thereof are of such a Size and are lighted, ventilated, and fitted up in such a Manner as the said Inspectors or Inspector deem sufficient for the Preservation

servation of the Health of the Prisoners to be confined therein, and unless and until Notice that such Bridewell has been so certified shall have been transmitted from such Chief or Under Secretary to the Magistrates of each Petty Sessions of the County in which such Bridewell is situate: Provided also, that as regards Bridewells not so certified, and not being District Bridewells, Prisoners shall not be detained therein otherwise than is provided by so much of the Ninety-fourth Section of the Prisons Act as is not hereby repealed.

Section 95. of Prisons Act repealed.

Returns to be made by Keepers of Bridewells and Expenses to be paid.

XXVII. The Ninety-fifth Section of the Prisons Act shall from and after the passing of this Act be repealed, save as to anything heretofore done under the same; and a Return or Record shall be made and kept by the Keeper of every Bridewell in *Ireland* not being a District Bridewell, in the Form of the Schedule in the Prisons Act mentioned, or in such other Form as may have been already approved of by the Judge of Her Majesty's Court of Queen's Bench, or as shall hereafter be approved of by the Lord Lieutenant, of the Committal and Discharge of Prisoners, and of all Expenses incurred in such Bridewells for or in respect of such Prisoners, One Copy of which Return or Record shall be preserved in such Bridewell, and One other Copy shall be transmitted to the Board of Superintendence, within Fourteen Days after the Thirteenth Day of *March*, Thirteenth Day of *June*, Thirteenth Day of *September*, and Thirteenth Day of *December* in each and every Year; and the said Board of Superintendence shall examine and certify the said Copy, and shall administer to such Keeper an Oath to the Truth of such Return or Record, and thereupon shall pay to such Keeper the Amount of the Expense so incurred and specified in such Return or Record, together with Allowances for Fire, Candles, and Straw; and it shall be lawful for the Grand Jury of the County, and they are hereby required, on the Production of such Return or Record at the next ensuing Assizes, to make Presentment in favour of the Board of Superintendence for the Amount mentioned in such Return or Record, or such Portion thereof as shall be certified to have been properly incurred by the said Board of Superintendence, and the Keeper of every such Bridewell shall, at the Times above specified, furnish to the Inspectors General of Prisons a Return certifying the Number of Prisoners confined in the said Bridewell during the preceding Quarter, together with the Number of Meals actually issued to such Prisoners whilst so confined, and the Cost of their Maintenance, and the Number of Prisoners committed thereto for Drunkenness.

Work in Prisons to be manual or mechanical only.

XXVIII. The Work or Labour authorized by the One hundred and fifth Section of the Prisons Act shall be manual or mechanical Work or Labour; and no Board of Superintendence shall authorize or permit any Prisoner to carry on or exercise any Profession, Trade, Business, Calling, or Employment which the said Board shall deem inconsistent with or unsuited to the due Regulation, Discipline, or Management of the Prison under their Care, or of the Prisoners therein, or which the Lord Lieutenant shall, upon the Report of the Inspectors General, signify to the said Board of Superintendence to be, in the Opinion of the said Lord Lieutenant, inexpedient or improper to allow such Prisoners, or any of them, to carry on or exercise.

Power to declare Money found on Vagrants, &c. to be forfeited.

XXIX. When in any Prison any Money shall be found in the Possession or Custody of any Person committed thereto as a Vagrant, or for offending against the Laws in force for the Relief of the destitute Poor, it shall be lawful for the Board of Superintendence of such Prison, or in the Case of Bridewells for the auxiliary Board of Superintendence thereof herein-before recited, if they shall think fit so to do, to declare such Money to be forfeited, and to apply the same towards the Payment of the Expense of the Maintenance of such Person in such Prison, returning to him or her, upon his or her Discharge, the Overplus, if any, of the Money so found.

Reports to be made by Local Inspectors.

XXX. The Local Inspector, instead of reporting the Complaints made to him by the Prisoners to the Inspectors General of Prisons, under the Thirteenth Rule of the One hundred and ninth Section of the Prisons Act, shall report the same to the Board of Superintendence, and shall, after each Meeting of the said Board, forthwith report to the Inspectors General of Prisons the Decision of the said Board upon such Complaints; and the said Local Inspector shall from Time to Time report to the Inspectors General of Prisons when any Officer of any Prison or Bridewell under his Inspection has died, or has been removed or dismissed, or has resigned, and shall specify in such Reports the Name of such Person (if

(if any) who shall have been appointed in place of such Officer, with the Date of his or her Appointment; and shall also report when any Prisoner or Prisoners has or have died, together with the Cause of Death; and the said Local Inspector shall, once at least in each Quarter of a Year, or oftener if he shall think fit, report to the said Inspectors General whether any epidemic Disease has appeared in any Prison or Bridewell under his Inspection, and whether any Mutiny, Riot, or Escape or Attempt to escape has taken place therein or therefrom; and also whether any Prisoner therein has, according to his own Desire, changed his religious Profession; and the said Local Inspector shall add to his said Report any Observations that may occur to him, respecting the general Health, Discipline, or Order of the said Gaol, and the correct keeping of the several Books and Forms now directed to be kept by the Court of Queen's Bench, or which shall hereafter be directed to be kept by the Lord Lieutenant.

Certain Portions of Sections 112. 113. and 117. of Prisons Act, repealed.

XXXI. The following Portions of the One hundred and twelfth, One hundred and thirteenth, and One hundred and seventeenth Sections of the Prisons Act are hereby repealed, that is to say, so much of the One hundred and twelfth Section as provides that 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 an Officer of the Court of Queen's Bench, and subject to the Order thereof as such; so much of the One hundred and thirteenth Section as enables or authorizes the Court of Queen's Bench, or any Judge thereof, to commit, as in Contempt of the said Court, any Keeper, Inspector, or other Officer of a County Prison who shall refuse to attend or be examined by or give sufficient Answer to the Board of Superintendence thereof, or to any Three of them, as in the said Section mentioned; and so much of the One hundred and seventeenth Section as empowers the Inspector of a County Gaol to order into the Stores of the Gaol the Prison Dresses belonging to such Convicts as are therein mentioned, and to issue to such Convicts new Dresses as is therein mentioned.

Penalties on aiding Escape of Prisoners.

XXXII. If any Person shall convey or cause to be conveyed into any Prison to which this Act shall extend any Mask, Visor, or other Disguise, or any Instrument or Arms proper to facilitate the Escape of any Prisoner, and the same shall deliver or cause to be delivered to any Prisoner in such Prison, or to any other Person there, for the Use of any such Prisoner, every such Person shall be deemed to have delivered such Mask, Visor, or Disguise, Instrument or Arms, with Intent to aid and assist such Prisoner to escape or attempt to escape, and if any Person shall by any Means whatever aid and assist any Prisoner to escape, or in attempting to escape, from any Prison, every Person so offending, whether an Escape be actually made or not, shall be guilty of Felony, and being convicted thereof shall be kept in Penal Servitude for any Term not less than Six or more than Eight Years.

As to Trials of Prisons Escapes, &c.

XXXIII. Any Offender escaping, breaking Prison, or being rescued therefrom may be tried either in the Jurisdiction where the Offence was committed, or in that where he or she shall be apprehended and retaken; and in case of any Prosecution for any such Escape, Attempt to escape, Breach of Prison, or Rescue either against the Offender escaping or attempting to escape, or having broken Prison, or having been rescued, or against any other Person or Persons concerned therein, or aiding, abetting, or assisting the same, a Certificate given by the Clerk of the Crown, the Clerk of the Peace, or the Clerk of any other Court in which such Offender shall have been convicted, shall together with due Proof of the Identity of the Person, be sufficient Evidence to the Court and Jury of the Nature and Fact of the Conviction, and of the Species and Period of Confinement to which such Prisoner was sentenced.

Penalty on introducing prohibited Articles into Prison.

XXXIV. If any Person shall carry, or bring, or attempt, or endeavour by throwing over the Walls, or in any other Means, to introduce into any Prison to which this Act shall extend any Letters, Tobacco, or any other Article not allowed by the Rules of such Prison, it shall be lawful for any Person to apprehend such Offender, and to carry him or her before a Justice of the Peace, who is hereby empowered to hear and determine such Offence in a summary Way, and if he shall lawfully convict such Person of such Offence he shall forthwith direct such Offender to be imprisoned, with or without Hard Labour,

for any Time not exceeding One Calendar Month, unless such Offender shall immediately pay down such Sum of Money not exceeding Five Pounds nor less than Forty Shillings, as such Justice shall impose, and such Fine shall be paid to the Board of Superintendence towards the Expense of the Maintenance of such Prison.

Annual Payment of 20*l.* by Grand Juries to each Inspector General on making his Report shall cease.

Treasury to make Compensation to Inspectors General.

XXXV. So much of the Fifty-sixth Section of the Prisons Act as relates to the Payment of the Sum of Twenty Pounds a Year by a Collector of Excise to any Inspector General of Prisons upon or in respect of his making his Report as therein mentioned, or as relates to the Presentment of any such Sum by any Grand Jury for the Repayment of the same, is hereby repealed, and such Payments and Presentments shall cease from and after the making of such Reports for the Year One thousand eight hundred and fifty-six by the said Inspector General; and it shall be lawful for the Commissioners for the Time being of Her Majesty's Treasury to order that Compensation shall be made to the said Inspectors General for the Loss of such Payments; and such Compensation shall from Time to Time be paid out of any Monies appropriated or which may be appropriated by Parliament for the Purpose in such Manner as the said Commissioners in their Discretion shall think fit to direct: Provided always, that the said Inspectors General shall continue to make such Reports to the Secretaries of the Grand Juries and to the Chief Secretary as they are required to make, by the Fifty-fifth and Fifty-sixth Sections of the Prison Act.

Powers of Lord Lieutenant in respect of the Removal of Prisoners extended.

XXXVI. 'And whereas by an Act of the Tenth and Eleventh Years of Her Majesty, 'Chapter Forty-five, and by another Act of the Twelfth and Thirteenth Years of Her Majesty, 'Chapter Nineteen, Provision is made for the Removal in certain Cases of Prisoners from 'one Place of Confinement to another, and by the same Acts and by another Act of the Four-'teenth and Fifteenth Years of Her Majesty, Chapter Eighty-five, Provision is made for 'defraying the Expenses of such Removal, and also of the Removal and Conveyance of 'Prisoners upon ordinary and other Occasions: And whereas it is expedient to extend the 'Power of the Lord Lieutenant in respect of the Removal of Prisoners and to alter the 'Mode in which the aforesaid Expenses are at present vouched and paid:' Be it enacted, That it shall be lawful for the Lord Lieutenant of *Ireland* as and when and as often from Time to Time as he shall think it proper or expedient so to do, by Order in Writing signed by the Chief or Under Secretary for *Ireland* for the Time being, to direct that any Person being imprisoned in any Prison, Gaol, Bridewell, or other Place of Confinement in *Ireland*, under or by virtue of any Process, Civil or Criminal, or under or by virtue of any Order or Writ of any Court of Justice in *Ireland*, shall and may be removed from such Prison, Gaol, Bridewell, or other Place of Confinement, to such other Prison, Gaol, Bridewell, or Place of Confinement as to such Lord Lieutenant shall seem fit and proper for and during such Time as to him shall appear expedient, and every such Person when so removed shall be, and shall to all Intents and Purposes be deemed to be, in the proper legal Custody for and during the Time of such Removal, and for and during such Time as he or she shall be in the Place to which he or she shall be so removed, in like Manner to all Intents and Purposes as if such Person had been continued in his or her original Place of Confinement and had not been by any such Order removed from the same; and no Right, Duty, Authority, Liability, Jurisdiction, Franchise, Power, Privilege, or Function of any Person whatsoever, which if such Removal had not taken place would have existed or could or might have been used or exercised, shall be in any Degree affected, altered, diminished, or prejudiced by or in consequence of any such Removal: Provided always, that in case any such Prisoner shall be removed under the Provisions of this Act from any County into any other County, the Expenses of the Support and Maintenance of such Prisoners respectively in any Place to which they shall be so removed shall be paid and provided for by the County from which they shall respectively have been so removed, in like Manner as the same ought to have been paid or provided for before such Removal; and the Expenses of any such Removal under this Act, and of any Removal of Prisoners under the said recited Acts of the Tenth and Eleventh and Twelfth and Thirteenth Years of Her Majesty, and of any further Removal of Prisoners to their original Place of Custody, shall be charged and chargeable on the County from which they shall have been in the first instance so removed; and the said Act of the Fourteenth and Fifteenth Years of Her present Majesty shall extend to and include such Expenses, and in every Case where any such Expenses as aforesaid, or any such

As to Payment of Expenses of Prisoners removed from One County to another.

such Expenses as are mentioned in the Fourth Section of the said last-mentioned Act, shall have been incurred by any Gaoler, Bridewell Keeper, or other Prison Officer when in charge of any such Prisoners, such Expenses shall in the first instance be paid as follows, that is to say, by the Governor when the said Expenses shall have been incurred by the Governor or any Officer of any Prison other than a Bridewell, and by the Local Inspector when the said Expenses shall have been incurred by the Keeper or other Officer of any Bridewell; and the said Expenses of such Governor, Keeper, or other Prison Officer shall not be paid by the Inspector of Constabulary, anything in the said recited Act of Fourteenth and Fifteenth Years of Her Majesty, Chapter Eighty-five, contained to the contrary notwithstanding; and the Local Inspector and Governor of the County Gaol shall from Time to Time lay before the Board of Superintendence of the said Gaol Accounts duly vouched of the Expenses so incurred, and the said Board of Superintendence are hereby empowered and required to examine such Accounts, and upon being satisfied of their Reasonableness and Accuracy, to pay the same out of any Funds under their Control.

Such Expenses not to be paid by Inspectors of Constabulary.

XXXVII. It shall be lawful for the Grand Jury of any Borough which shall be a County of a City or a County of a Town, or the Council of any such Borough where such Council shall have Jurisdiction over the Prisons of such Borough, and whether or not the said Grand Jury or Council may have agreed with the Grand Jury of any County for the Maintenance by Contract of the Prisoners of such Borough, to contract and agree, in manner and subject to the Provisions herein-after contained, with the Grand Jury of any County immediately adjoining such Borough, for the Payment of any Sum or Sums of Money by either or both of the Parties to any such Agreement, towards altering, enlarging, building, rebuilding, repairing, or improving any Prison situated or to be situated within such County or Borough, to be thenceforth used as the joint Common Gaol for such County and Borough, and either in addition to or in substitution for the existing Prisons of such County or Borough, or either of them, and towards the Expense and Maintenance, Clothing, safe Custody, and Punishment of the Persons committed thereunto, including their Committal and Conveyance to and from Prison, and all other Expenses of the said Prison, and to and in such joint Prison when the same shall be certified as is hereafter directed, may be removed, committed, and imprisoned all Criminals, Debtors, and other Persons who might theretofore have been lawfully committed to or imprisoned in the Common Gaol, House of Correction, or other Prison of the County or of the Borough which shall be a Party to any such Agreement.

Counties and Boroughs adjoining may enter into Agreements for providing a joint Common Gaol for County and Borough.

XXXVIII. All Monies to be paid under any Agreement authorized by this Act for building, rebuilding, repairing, or enlarging any such joint Prison as aforesaid, shall be presented and raised in the same Manner and subject to the same Conditions as Monies to be presented and raised by the Grand Jury of any County, and by the Grand Jury or Council of any such Borough as aforesaid, for building, rebuilding, or enlarging any Gaol, Bridewell, House of Correction, or other Prison under their Management respectively; and all Monies to be paid towards the current annual Expenses of such joint Prison, and towards defraying all other Expenses incurred by the contracting Parties, or either of them, in carrying such Agreement into effect, shall be presented and raised in the same Manner in all respects and subject to the same Conditions as Money to be presented and raised by the Grand Jury of any such County, or by the Grand Jury or the Council of any such Borough as aforesaid respectively, for defraying the ordinary current Expenditure of the several Gaols.

Presentments may be made for joint Prisons for Counties and Boroughs.

XXXIX. It shall be lawful for the Grand Jury of any such County and for the Grand Jury or Council of any such Borough at any Assizes, or in the Case of the Council of any such Borough at a Special Meeting to be convened for that Purpose, to take into Consideration the Expediency of making any such Agreement as aforesaid, and in case such Grand Juries, or such other Grand Jury and Council, as the Case may be, shall resolve that it is expedient that such Agreement should be made, then for each such Grand Jury or Council to appoint not less than Three and not more than Five of the Members of such Grand Jury or Council, as the Case may be, to be a Committee on Behalf of such Grand Jury or Council to negotiate and make such Agreement as aforesaid, and from Time to Time at the same or any subsequent Assizes, or in case of the Council at any subsequent Special Meeting to be convened

Committees may be appointed by Grand Juries to make Arrangements for joint Prisons.

vened for the Purpose, to fill up any Vacancy in the said Committee caused by Death, Resignation, or otherwise.

Committees appointed shall form joint Committees, and shall draw up Agreements.

XL. Each Committee so appointed shall be deemed to represent respectively the Grand Jury or Council by which it shall have been appointed, and the Committees so appointed shall form One joint Committee, and shall draw up an Agreement distinctly setting forth the Terms and Conditions upon which the said Grand Juries or Grand Jury and Council shall make any such Agreement as aforesaid; which Agreement when subscribed by a Majority of the Members of each Committee, severally representing the Grand Jury or Council by which it shall have been appointed, and approved and confirmed as herein-after directed, shall be binding on the said Grand Juries, or the said Grand Jury and Council, and on all other Persons, to all Intents and Purposes.

Particulars which Agreement shall specify.

XLI. Every such Agreement shall specify the Place where such Prison is or is to be situated, and the County and Borough for which it is proposed to be built or used (the Area and Proportion of the same being set forth in so far as the same may be known), and such Agreement shall further specify the Number of Prisoners for which it is proposed that Accommodation should be provided, and such Agreement shall further specify the Proportion in which the Expenses of purchasing any Site, and of building, finishing, and fitting up such Prison, or, as the Case may be, of enlarging and improving such Prison, shall be borne by each of the contracting Parties; and also the Proportion in which the Expenses of rebuilding or repairing such Prison in the event of any sudden Accident happening thereunto, shall be contributed by each of the contracting Parties; and also whether such Prison is to be used in place of or in addition to any and which of the existing Prisons of the said County or Borough; and also the Mode in which it is proposed to constitute the Board of Superintendence of such Prison, and the Amount of the Salaries proposed to be paid annually to the Officers of such Prison, and the Proportion in which the same Salaries and such Expenses as may be incurred in respect of the ordinary Repairs of such Prison, the Government and Discipline of such Prison, the Maintenance, Management, and Custody of Prisoners, and all other current and ordinary Expenses of the said Prison, shall be apportioned on each of the contracting Parties, and such Proportion may be either a fixed Share determined beforehand of the ordinary annual Expenses of the said Prison, or be made to depend upon, vary with, and be ascertained and calculated by the Number of Prisoners who shall be confined in the said joint Prison from the said County and Borough respectively, and the Period of Time for which each such Prisoner shall be so confined, such Calculations to be made at such Intervals and according to such Scale as in the said Agreement shall be mentioned, and to be either at a fixed Rate by the Day, Week, or Month for the Cost of each such Prisoner, or at the actual average daily, weekly, or monthly Cost of each such Prisoner, according to the whole Number of Prisoners for the Time being confined in such Prison, and such Agreement shall also specify the Period of Time, not being less than Three Years, for which the First Agreement for such Proportion of such current and ordinary Expenses (whether the same shall be at a fixed or variable Proportion) shall endure: Provided always, that at the Expiration of such Period the Agreement shall nevertheless continue in force, unless and until altered and renewed, upon such Terms and in such Manner as is herein-after directed.

Agreements shall be laid before Grand Juries and Councils for Approval.

XLII. Whenever any Agreement shall have been so entered into and signed the joint Committee shall lay the same for Approval before the Grand Juries or Grand Jury and Council of the said County and Borough at the Assizes, if any then current, or at the Assizes holden next after the making thereof, and in the Case of the Council of the Borough at a Special Meeting to be convened for that Purpose, and shall deliver to such Grand Juries or Grand Jury and Council respectively a Duplicate of such Agreement to be filed by the Clerk of the Peace or Town Clerk of such County or Borough, to be by them kept with the Records of the said County or Borough: Provided always, that no such Agreement shall be valid until the same shall have been approved of by the several Parties thereto in manner aforesaid, and until the same shall have been confirmed by the Lord Lieutenant as herein-after directed.

Agreements to be sub-

XLIII. Each of the said Parties shall forthwith cause such Agreement, when approved of in manner aforesaid, to be laid before the Lord Lieutenant, and it shall be lawful for the Lord

Lord Lieutenant to confirm such Agreement, and to direct that such Prison, when certified by One of the Inspectors General of Prisons in *Ireland* to be fit for the Reception of Prisoners, or of the additional Prisoners whom it shall be proposed to confine therein, shall thenceforth be used as a joint Common Gaol, as well for Debtors as Criminals, for such County and Borough respectively.

mittted to Lord Lieutenant for Approval.

XLIV. When any joint Prison, or a sufficient Part thereof, shall have been built, or enlarged or improved, as the Case may be, and fitted up for the Reception of Prisoners, or of the additional Prisoners whom it shall have been agreed to confine therein, and proper Officers shall have been appointed for the Management thereof, the Inspectors General of Prisons or One of them shall certify, in Writing under their or his Hand to the Lord Lieutenant, that such Prison, or a sufficient Part thereof, is so fitted and completed, and that such Officers have been appointed, and it shall thereupon be lawful for the Lord Lieutenant, by an Order in Writing, to direct that such joint Prison may thenceforth be used as a Gaol, as well for Debtors as Criminals, for the said County and Borough respectively, either in addition to or in place of (as shall be specified in said Order) the other then existing Gaols of the said County or Borough, and that all Prisoners, as well Debtors as Criminals, at that Time confined in the Common Gaol, Bridewell, House of Correction, or other Prisons of the said County or Borough, or such and so many of such Prisoners as shall be specified in the said Order, may, if requisite, be forthwith removed to such joint Prison by the Governors or Keepers of such Gaols, Bridewells, Houses of Correction, or other Prisons as aforesaid, and the Removal of any such Prisoners, in obedience to any such Order, shall not be construed to be an Escape.

Lord Lieutenant, on Report of Inspectors General, may direct Prison to be used as a joint Prison, and Prisoners to be removed to it.

XLV. It shall be lawful for the Grand Jury or Council of any County or Borough which shall be Party to any such Agreement as aforesaid, and each and every such Grand Jury and Council is hereby authorized and required, at the Assizes, with the Consent and Approbation of the Court or a Judge, or at a Special Meeting of such Council, to appoint so many Persons as it shall have been agreed should be appointed by each such Grand Jury or Council respectively (One Half of whom at the least shall be Justices of the Peace for the County or Borough by the Grand Jury or Council whereof they shall be so appointed) to be and form together One joint Board of Superintendence of such joint Prison; and it shall and may be lawful for any such Grand Jury or Council at any subsequent Assizes, or at any subsequent Special Meeting, to remove any Member or Members of such Board who shall have been appointed by such Grand Jury or Council respectively, and to fill up any Vacancies among such last-mentioned Members occasioned by Death, Resignation, or otherwise; and such Board of Superintendence shall have the same Powers, Authorities, Jurisdiction, and Discretion over and with respect to such joint Prison, and the Appointment of the Officers thereof, and over and with respect to the Prisoners therein, as are or shall be given to or vested in the Board of Superintendence of any County Prison over or with respect to such Prison, and the Officers thereof or the Prisoners therein, by this Act or the Prisons Act, or any Act amending the same; and any Three or more of such Board of Superintendence, One of whom at least shall be a Justice of the Peace for either the said County or the said Borough, 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, 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 the Prisons Act, or 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, and all of whom may have been appointed Members of such Board by the Grand Jury of the County, or as the Case may be, by the Grand Jury or Council of the Borough) shall be as valid and effectual to all Intents and Purposes as if done by the whole Board of Superintendence.

Boards of Superintendence to be appointed for joint Prisons.

Quorum of Boards of Superintendence.

XLVI. It shall and may be lawful for the Grand Jury of every County, and for the Grand Jury or Council of every Borough which shall be Party to any such Agreement, to make all Presentments of Money for such joint Prison to such Board of Superintendence, to be by them appropriated to the several Purposes for which such Moneys are intended, and also,

Presentments may be made to joint Boards of Superintendence.

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 or Council shall deem necessary for any of the Purposes for which Presentments are or shall be allowed by the Prisons Act or this Act, or any Act which for the Time being shall be in force in *Ireland* relating to Repairs, Accommodation, or Discipline of Prisons; and every Sum so presented in advance shall and may be afterwards applied or applicable, by or 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.

Joint Boards to be the Boards of Superintendence of all Prisons in Counties and Boroughs.

XLVII. Such Board of Superintendence of such joint Prison shall be the Board of Superintendence of every Gaol, Bridewell, House of Correction, or other Prison within such County or Borough, not being the Prison of a different County, and all the Provisions of the Prisons Act and of this Act, and of every other Act or Acts relating to the Board of Superintendence to be appointed by the Grand Jury, or Council of any County or Borough, for every Gaol, Bridewell, House of Correction, or other Prison within such County or Borough, shall apply, extend to, and include the said Board of Superintendence of such joint Prison as if the said Board had been appointed by such Grand Jury or Council for every such Gaol, Bridewell, House of Correction, or other Prison as aforesaid.

As to Revisal of Agreements on Termination of Periods specified.

XLVIII. On the Termination of the Period specified in any such Agreement as aforesaid for the Continuance of the Proportion to be contributed by each of the contracting Parties towards the current and ordinary Expenses of any such joint Prison, or on the Termination of any such further Period as shall have been agreed on or settled as herein-after provided, the Board of Superintendence for the Time being of any such joint Prison shall, in case it shall appear to them proper to make any Alteration in the Proportion for the Time being adopted, proceed to propose a Revisal of such Proportion to the Grand Juries, or Grand Jury and Council, of the said County and Borough assembled respectively at Assizes or at a special Meeting; and shall also propose the Period, not being less than Five Years, for which the then existing or such revised Proportion shall endure, and the Time when the said revised Proportion shall commence; and any such Proposal, when approved of by a Resolution of the said Grand Juries, or Grand Jury and Council respectively, shall to all Intents and Purposes be an Agreement binding upon the Parties thereto, and shall continue in force for the Period in the said Proposal specified, and also from and after the End of the Period so specified, until a Proposal for further Revisions shall be adopted as aforesaid or Award made, as is herein-after authorized.

In case Parties disagree upon the Terms of new Agreements Lord Lieutenant may appoint Arbitrators.

XLIX. In case the said Board of Superintendence for the Time being of any such joint Prison shall neglect or refuse to propose such Revisal of the Proportion for the Time being, and either or both of the said Grand Juries, or Grand Jury and Council, as the Case may be, shall resolve that some Revisal of such Proportion ought to be proposed, but shall not agree upon the Terms of such Proposal, or in case the said Board of Superintendence for the Time being of any such joint Prison shall propose some Revisal of such Proportion, and either or both of the said Grand Juries, or Grand Jury and Council, as the Case may be, shall not agree to such Proposal, then and in either of such Cases it shall be lawful for the Lord Lieutenant, upon the Application of either of the said Grand Juries, or Grand Jury and Council, as the Case may be, to appoint any Barrister to be an Arbitrator to determine the Matters in dispute, and such Barrister shall have Power to arbitrate between the Parties; and the said Barrister shall summon the several Clerks of the Peace and the Town Clerks of the several Parties so contracting as aforesaid, the Governor of the said joint Prison, and such other Persons as he may require, to appear before him at a Time and Place to be by him appointed, and there to give Evidence upon Oath (which Oath such Arbitrator shall be empowered to administer), and to produce all Information touching the Matters in dispute; and such Arbitrator may, if he shall think fit, adjourn the Hearing from Time to Time, and require all such further Information to be afforded as shall appear to him to be necessary, and shall, by his Award in Writing, determine the several Matters in dispute, and his Award shall be final and conclusive between the Parties for the Term of Five Years, and also from and after the End of such Term of Five Years until a Proposal for further Revision shall be adopted as aforesaid or Award made, as is herein authorized; and such Arbitrator shall assess the

the Costs of such Arbitration, and shall direct by whom and out of what Fund the same shall be paid, and the same shall be paid accordingly.

Section 9. of 3 & 4 Vict. c. 109. repealed. Power to Borough to contract with County for Reception of Prisoners in the County Gaol.

L. The Ninth Section of the Act passed in the Session of Parliament holden in the Third and Fourth Years of Her present Majesty, Chapter One hundred and nine, is hereby repealed; and it shall be lawful for the Grand Jury of any Borough which shall be a County of a City or County of a Town, or for the Council of any such Borough, when such Council shall be the Body having Authority over the Gaols of the said Borough, to contract with the Grand Jury of any County adjoining the said Borough, or with which it shall have a common Boundary, for the Support and Maintenance in any Gaol or House of Correction of such County of the Prisoners, as well Debtors as Criminals, committed thereto from such Borough; provided that no such Contract be entered into without an Order for that Purpose being made by each Grand Jury or Council which shall be Party thereto in their County Book or other Book in which their Proceedings are entered, and every such Contract may either be perpetual or limited to a Term of Years, as the Parties shall mutually agree; and during the Existence of such Contract all Prisoners, as well Debtors as Criminals, who would otherwise be confined in the Gaol or House of Correction of such Borough, may be lawfully committed or removed to and confined in the Gaol so receiving them under such Contract, and every Person so committed and removed shall be, and shall to all Intents and Purposes be deemed to be, in the proper legal Custody for and during the Time of such Committal and Removal, and for and during such Time as he shall be in the said Prison so receiving him, under such Control as aforesaid, in like Manner to all Intents and Purposes as if such Person had been committed to or had been or continued to be in the Common Gaol of such Borough; and every such Prisoner, Debtor, or other Person shall, during his or her Confinement in such County Prison, be in all respects subject to the sole Government and Control of the Board of Superintendence of such County Prison.

Power to Grand Jury of Boroughs to present for Amount of Contracts.

LI. In any Case in which the Grand Jury of any such Borough as aforesaid, or the Council of any such Borough, when such Council shall be the Body having Jurisdiction over the Gaols of the said Borough, shall have agreed with the Grand Jury of an adjoining County for the Maintenance by Contract of the Prisoners committed from such Borough, it shall be lawful for the Grand Jury or Council of such Borough, whether such Contract shall be perpetual or limited to a Term of Years, to present or cause to be paid, if they shall so think fit, any Sum of Money to the Grand Jury of the County with which they shall have made such Contract, to be by such last-mentioned Grand Jury, or any other Persons authorized in that Behalf, expended in or towards enlarging or repairing the Gaol or House of Correction in which it shall have been agreed to maintain the Prisoners to be committed from such Borough, and in or towards preparing such Gaol as a joint Prison for the Accommodation of such Prisoners.

Power to Grand Juries of Boroughs to grant and convey old Prisons to Grand Juries of Counties.

LII. In any Case in which the Grand Jury of any such Borough as aforesaid, or the Council of such Borough when such Council shall be the Body having Jurisdiction over the Gaols of the said Borough, shall, under the Provisions of this Act, have completed any Contract for the Erection or Adoption of a joint Prison in lieu of the previously existing Prison of such Borough, or shall, under the Provisions aforesaid, have entered into any perpetual Agreement with the Grand Jury of any adjoining County for the Maintenance by Contract of the Prisoners committed from such Borough, and the Grand Jury or Council of such Borough shall not deem it advisable to sell or dispose of the old Prison of such Borough, in manner authorized by the Forty-eighth Section of the Prisons Act, it shall be lawful for such Grand Jury or Council to grant and convey to the Grand Jury of the County with which they shall have made such Contract for the Erection of a joint Prison, or for the Maintenance of the Prisoners committed from that Borough, as the Case may be, all or any of the old Prisons of such Borough, and the Ground and Soil thereof, for such Estate or Interest as such Borough, or any Person or Persons in trust for them, shall have therein, and that either gratuitously or upon such Terms and for such Sums of Money as to the Grand Jury or Council of such Borough shall seem fit, such Sum of Money to be either paid to the Treasurer of the Grand Jury or Council of such Borough by the Grand Jury to which such Prison shall be thus conveyed, or to be allowed and credited by such last-mentioned Grand Jury in their Account with the Grand Jury or Council of such Borough for the Maintenance by Contract of the Prisoners committed

committed or removed from such Borough, or for the Contribution by such Borough towards the Expenses of such joint Prison as aforesaid; and it shall be lawful for such Grand Jury to appoint any Number of Persons, not more than Twelve nor less than Six, to be Trustees for receiving such Grant or Conveyance as aforesaid; and such old Prison (in case the Grand Jury of the County to which it shall have been so conveyed shall think fit at any Time afterwards to employ it as a Gaol or to confine Prisoners therein) shall, for all Purposes, relative to the Jurisdiction of Justices of the Peace, and other Persons empowered to act in the Government of the Prisons of such County, be deemed to be within such County.

As to Trial of Prisoners committed or removed to joint Prisons or to County Prisons under Contracts.

LIII. All Prisoners, as well Debtors as Criminals, committed or removed to, or confined in, any such joint Prison as aforesaid from the County which was Party to the Contract under which such Prison was provided, shall be dealt with and be triable and tried in the same Manner as if such Prison were the Common Gaol of the County from which any such Prisoner was committed or removed; and all Prisoners, as well Debtors as Criminals, committed or removed to, or confined in, any such joint Prison as aforesaid from the Borough which was Party to the Contract under which such Prison was provided, and also all Prisoners, as well Debtors as Criminals, confined as aforesaid in the Gaol or House of Correction of any County, shall be dealt with in like Manner as if such joint Prison, or, as the Case may be, such County Prison, were the Common Gaol of the Borough from which any such Prisoner was committed or removed; and every Prisoner committed or removed before Trial from any Borough to any such joint Prison, or, as the Case may be, to such County Prison, shall be triable and tried in the Manner heretofore accustomed, and in the usual Place of Trial of such Borough, or other the Place in which he or she would or might have been tried if this Act had not been passed; and it shall be lawful for the Magistrates, or other proper Officers of such Borough, to direct the Removal of such Prisoner for Trial, and to do all other Acts necessary for such Trial or consequent thereon: Provided nevertheless, that nothing in this Act contained shall be deemed or taken to control, or in any Manner limit or interfere with any Power which is by an Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth, Chapter Twenty-six, or by an Act of the Session holden in the Thirteenth and Fourteenth Years of Her Majesty, Chapter Eighty-five, or by any other Act now in force, vested in the Lord Lieutenant of *Ireland*, of altering, with the Advice of Her Majesty's Privy Council in *Ireland*, the Place of holding the Assizes or Sessions, or special Commission or Commissions of Oyer and Terminer, of or for any County, County of a City, or County of a Town in *Ireland*, or to interfere with or in any Manner invalidate or affect any Order in Council heretofore made for that Purpose, under the Authority of the said Acts or any of them.

As to granting Compensations to Officers of Prisons previously existing becoming unnecessary.

LIV. Whenever the Grand Jury of any such Borough as aforesaid, or the Council of such Borough, shall, under the Provisions of this Act, have completed any Contract for the Erection or Adoption of a joint Prison in lieu of the previously existing Prisons of such Borough, or shall, under the Provisions aforesaid, have entered into any Agreement (whether perpetual or limited to a Term of Years) with the Grand Jury of any adjoining County for the Maintenance by Contract of the Prisoners committed from such Borough, and whenever, by reason of the Removal of the Prisoners from the Borough Gaols to the joint Prison or County Gaol, pursuant to such Contract, any Officers of any Gaol or House of Correction of such Borough shall become unnecessary and shall be discharged from their respective Offices, every such Officer shall be entitled during his or her Life to such annual Allowance or Compensation, if any, not exceeding in Amount Two Thirds of the Annual Salary to which such Officer shall have been entitled, as shall be fixed and ascertained for that Purpose by the Grand Jury, or, as the Case may be, by the Council of such Borough, at the Assizes next after the Time when such Officer shall become unnecessary and shall be discharged as aforesaid; or in case same shall not be fixed and ascertained at said Assizes, then to such annual Allowance or Compensation, if any, not exceeding the Rate aforesaid, as shall be so fixed and ascertained at the next subsequent Assizes; and the Grand Jury, or, as the Case may be, the Council of such Borough, shall at each Assizes, without Application to Presentment Sessions, present One Moiety of such respective Allowance or Compensation to every or any such Officer so discharged for the Cause aforesaid, during his or her Life, which respective Sums shall from Time to Time be raised, levied, and paid as other Sums raised and levied under Presentments of the Grand Jury at the same Assizes: Provided always,

always, that no such annual Allowance or Sum shall, in any Case, exceed Two Thirds of the annual Salary to which such Officer shall have been entitled at the Time of his Discharge as aforesaid: Provided further, that if any Officer for whom any such Compensation shall be presented shall at any Time afterwards be nominated or appointed to any Office or Employment in or relating to any of the Gaols of the County and Borough which shall be Parties to such Agreement, or of either of them, the Salary and Emolument of which Office or Employment shall be equal to or exceed the Amount of Salary and Emoluments of which such Officer was in receipt at the Time of his Discharge as aforesaid, then and in such Case the Compensation so hereby provided for every Person so nominated or appointed shall cease and determine from the Day of such Nomination or Appointment; and provided further, that if any such discharged Officer who shall be so nominated or appointed as aforesaid shall decline or refuse to accept such Office or Employment, his or her Compensation under this Act shall cease and determine.

CAP. LXIX.

An Act to render more effectual the Police in Counties and Boroughs in *England* and *Wales*. [21st *July* 1856.]

'WHEREAS an Act was passed in the Session holden in the Second and Third Years of Her Majesty (Chapter Ninety-three), "for the Establishment of County and "District Constables by the Authority of Justices of the Peace," which Act was amended by an Act passed in the Session holden in the Third and Fourth Years of Her Majesty, Chapter Eighty-eight: And whereas a Police Force has been established under the Authority of the said Acts in several Counties and Parts of Counties in *England* and *Wales*: And whereas by the Act of the Session holden in the Fifth and Sixth Years of King *William* the Fourth (Chapter Seventy-six), "to provide for the Regulation of "Municipal Corporations in *England* and *Wales*," Provision is made for the Appointment of Constables in all Boroughs in *England* and *Wales* which are subject to that Act: And whereas, under the said secondly-mentioned Act, Power is given to Justices of Counties and Councils of Boroughs to agree for the Consolidation of the County and Borough Police Establishments: And whereas, for the more effectual Prevention and Detection of Crime, Suppression of Vagrancy, and Maintenance of good Order, it is expedient that further Provision should be made for securing an efficient Police Force throughout *England* and *Wales*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

2 & 3 Vict. c. 93.

3 & 4 Vict. c. 88.

5 & 6 W. 4. c. 76.

Where a Constabulary is not already established for the whole of a County, the Justices in General or Quarter Sessions to cause the same to be established; if already established in Part of a County, then for the Residue of such County.

I. In every County in which a Constabulary has not been already established for the whole of such County under the said Acts of the Second and Third and Third and Fourth Years of Her Majesty, or either of them, the Justices of such County at the General or Quarter Sessions holden next after the First Day of *December* One thousand eight hundred and fifty-six, shall proceed to establish a sufficient Police Force for the whole of such County, or where a Constabulary is already established in Part of such County, then for the Residue of such County, and for that Purpose shall declare the Number of Constables they propose should be appointed, and the Rates of Pay which it would be expedient to pay to the Chief and other Constables, and shall report such their Proceedings to One of Her Majesty's Principal Secretaries of State; and upon the Receipt from the Secretary of State of such Rules as are mentioned in Section Three of the said Act of the Second and Third Years of Her Majesty, all the Provisions of the said Acts of the Second and Third and Third and Fourth Years of Her Majesty shall take effect and be applicable in relation to such County, in like Manner as by the said Acts provided, upon the Adoption of such Acts for any County by the Justices thereof, and the Receipt of such Rules as aforesaid from the Secretary of State, subject nevertheless to the Amendments contained in this Act.