extend to this Act, except where any such Provision would be inconsistent with anything herein contained.

Act to extend only to England and Wales.

XII. And be it enacted, That this Act shall extend only to *England* and *Wales*.

Act may be amended, &c.

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 And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

CAP. CII.

An Act to consolidate and amend the Acts relating to certain Offences and other Matters as to which Justices of the Peace exercise a summary Jurisdiction in *Ireland*. [14th *August* 1850.]

'WHEREAS it is expedient to consolidate and amend the Acts by which Justices of the Peace are empowered to adjudicate in a summary Way as to certain Offences and other Matters in *Ireland*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Commencement of this Act it shall be lawful for any Justice or Justices sitting in Petty Sessions (or for any Two Justices acting out of Petty Sessions, in any Cases of Offences where the Defendant shall be unable to procure Bail for his Appearance at Petty Sessions,) within his or their Jurisdiction, to hear and determine, either on the Oath of One or more credible Witnesses, or on the Confession of the Defendant, all Complaints relating to the Offences or other Matters herein-after mentioned, and to award such Fine, Imprisonment, Compensation, Expenses, and Sums, or to make such other Order relating to each Offence or other Matter as the Defendant shall be liable to under the Provisions of this Act.

Justices may decide all Cases under this Act on Evidence of Witnesses or Confession.

Justices may fix Time for and Manner of Payment of Fine, &c. awarded.

In Cases of Offences Justices may order either the Fine or the Imprisonment;

or may order Imprisonment in default of Distress, according to Scale.

Scale of Imprisonment.

II. And be it enacted, That it shall be lawful for the Justice or Justices, if he or they shall think fit, to order that any Fine, Compensation, or other Sum awarded under the Provisions of this Act shall be paid either forthwith or at such Time or Times as he or they shall direct, and where such Sum shall not be a Fine for an Offence, that same shall be paid either in One Sum or by Instalments; and it shall also be lawful for the Justice or Justices, if he or they shall think fit, in every Case where any Person shall be convicted before him or them of any of the Offences herein-after mentioned, as to which it is not herein-after provided that Imprisonment shall only be in default of Payment of the Sum ordered or of Distress for the same, to award, in addition to any Compensation which may be ordered, either the Fine or the Imprisonment specified in each Case; and it shall also be lawful for the Justice or Justices, if he or they shall think fit, in any such Cases of Offences, where any such Fine or Compensation, or both Fine and Compensation, shall be awarded, either to order in the first instance, or afterwards to direct by the Warrant of Distress, that in default of Distress for the same the Person against whom such Order shall be made shall be imprisoned for any Term not exceeding One Week where the Sum to be paid shall not exceed Five Shillings, and not exceeding Two Weeks where such Sum shall exceed Five Shillings and shall not exceed Ten Shillings, and not exceeding One Month where such Sum shall exceed Ten Shillings and shall not exceed Forty Shillings, and not exceeding Two Months where such Sum shall exceed Forty Shillings and shall not exceed Five Pounds, and not exceeding Four Months where the Sum to be paid shall exceed Five Pounds and shall not exceed Ten Pounds, and not exceeding Six Months in any other Case, such Imprisonment to be determinable in each of such Cases upon Payment of the Sum ordered, and any Costs of the Distress when a Distress shall be made; and it shall also be lawful for the Justice or Justices, in every Case where Imprisonment for an Offence shall be ordered, to direct that it shall be either with or without hard Labour, according as he or they shall think fit.

Imprisonment may be with or without hard Labour.

III. And

CRIMINAL JURISDICTION.

Malicious Injury to Persons.

III. And be it enacted, That any Person who shall commit any of the next following Offences shall on Conviction thereof be liable to the Punishment herein-after specified in each Case; that is to say,

Common Assaults.

Any Person who shall unlawfully assault or beat any other Person shall be liable to a Fine not exceeding the Sum of Five Pounds, or to be imprisoned for a Term not exceeding Two Months:

Assaults with Intent to prevent Sale of Corn, &c.

Any Person who shall assault or beat or use any other Violence to any other Person with Intent to deter him from buying or selling any Corn or other agricultural or Garden Produce in any Market or other Place, or to stop the Conveyance of same, shall be liable to a Fine not exceeding the Sum of Ten Pounds, or to be imprisoned for a Term not exceeding Three Months:

The preceding Provisions not to apply to aggravated Assaults;

nor to any Assault where a Title to Lands, &c. is in question.

Provided always, that in case the Justice or Justices shall find any such Assaults as aforesaid to have been accompanied by any Attempt to commit Felony, or shall be of opinion that the same is from any other Circumstance a fit Subject for a Prosecution by Indictment, he shall abstain from any Adjudication thereupon, and shall deal with the Case in all respects as one to be prosecuted at the Assizes or Quarter Sessions; and nothing herein contained shall authorize any Justice or Justices to hear and determine in a summary Way any Case of Assault in which any Question shall arise as to the Title to any Lands, Tenements, or Hereditaments, or any Interest therein or accruing thereupon, or as to any Bankruptcy or Insolvency or any Execution under the Process of any Superior Court of Justice.

Malicious Injury to Property.

IV. And be it enacted, That any Person who shall commit any of the next following Offences shall be liable to the Punishment herein-after specified in each Case; that is to say,

Justices may order Punishment in following Cases:

Journeyman, &c. for spoiling Goods or Work.

Any Artificer, Workman, Journeyman, Apprentice, Servant, or Labourer who shall wilfully and unlawfully damage, spoil, or destroy any Goods, Wares, Work, or Materials committed to his Care or Charge, without the Consent of the Person by whom he shall be hired, retained, or employed, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month:

Destroying, &c. any Fruit or vegetable Production in a Garden, &c.

Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or vegetable Production growing in any Garden, Orchard, Nursery Ground, Shrubbery, Pleasure Ground, Hot-house, Green-house, or Conservatory, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Twenty Pounds, or to be imprisoned for any Term not exceeding Six Months:

Destroying, &c. vegetable Productions not growing in Gardens, &c.

First Offence.

Second Offence.

Any Person who shall unlawfully and maliciously destroy, or damage with Intent to destroy, any Plant, Fruit, or cultivated vegetable Production growing in any Land, open or inclosed, not being a Garden, Orchard, or Nursery Ground, shall for the First Offence pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month; and for any Second or subsequent like Offence shall, in addition to any like Compensation, be liable to a Fine not exceeding the Sum of Five Pounds, or to be imprisoned for a Term not exceeding Six Months:

Destroying or damaging Trees, Shrubs, &c. of any Value under 5*l.*

Any Person who shall, between Sunrise and Sunset, unlawfully and maliciously cut, break, bark, root up, or otherwise destroy or damage the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Five Pounds, or to be imprisoned for a Term not exceeding Six Months:

Any

Any Person who shall unlawfully and maliciously damage or destroy any Fence of any Description whatsoever, or any Wall, Stile, or Gate, or any Part thereof respectively, shall for the First Offence pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Five Pounds, or to be imprisoned for a Term not exceeding Six Months; and for any Second or subsequent Offence he shall, in addition to any Compensation ordered, be liable to a Fine not exceeding the Sum of Ten Pounds, or to be imprisoned for a Term not exceeding Twelve Months: Destroying, &c. any Fence, Wall, Stile, or Gate. First Offence. Second Offence.

Any Person who shall unlawfully stop or seize upon any Waggon, Cart, or other Carriage, or Horse, loaded with Corn, Potatoes, or other Provisions, in or on the Way to or from any Market or Place of shipping the same, or shall maliciously damage or destroy the same or any Part thereof, or the Harness of the Horses drawing the same, or shall unlawfully take off, drive away, kill, or wound any of such Horses in order to stop the same, or shall, by cutting the Sacks or otherwise, scatter or throw abroad such Corn, Potatoes, or other Provisions, or shall take and carry away or damage the same or any Part thereof, or shall distribute the same, or compel the Owner or his Servant, or the Carrier of the same, to distribute or otherwise depart from the Possession thereof or of any Part thereof, contrary to his Consent, shall be liable to a Fine not exceeding the Sum of Ten Pounds, or to be imprisoned for a Term not exceeding Six Months: Obstructing Export of agricultural Produce.

Any Person who shall unlawfully and maliciously break any Pane of Glass in the Windows of any Workhouse of a Poor Law Union, or damage or destroy any of the Furniture, Clothes, or other Property of the Guardians of the Poor of any Poor Law Union, the Injury done being under the Value of Forty Shillings, shall be liable to a Fine not exceeding the Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month: Breaking Windows or injuring other Property of a Workhouse.

Any Person who shall unlawfully and maliciously commit any Damage, Injury, or Spoil to or upon any Real or Personal Property whatsoever, either of a public or private Nature, for which no Punishment is already otherwise herein provided, the Injury done being under the Value of Five Pounds, shall pay to the Party aggrieved such reasonable Amount of Compensation for the Injury done as the Justice or Justices shall see fit, and shall also be liable to a Fine not exceeding the Sum of Forty Shillings, or to be imprisoned for a Term not exceeding One Month: Damage to Property in any Case not previously provided for.

And every Punishment and Forfeiture so imposed on any Person maliciously committing any of such Offences against Property shall equally apply and be enforced, whether the Offence shall be committed from Malice conceived against the Owner of the Property in respect of which it shall be committed, or otherwise: Provided always, that nothing herein contained shall extend to any Case where the Party offending acted under a fair and reasonable Supposition that he had a Right to do the Act complained of, nor to any Trespass, not being wilful and malicious, committed in Hunting, Fishing, or the Pursuit of Game; but every such Trespass shall be punishable in the same Manner as before the passing of this Act. Malice against the Owner not essential; but not to apply to unintentional Trespasses.

V. And be it enacted, That any Person found committing any of the said Offences in respect to the malicious Injury of Property may be immediately apprehended, without a Warrant by any Sub-Inspector, Head or other Constable, or by the Owner of the Property in respect of which the Offence shall have been committed, or by the Servant of such Owner, or by any other Person authorized by such Owner, or by any other Person in care or charge of such Property, and may be forthwith taken before some neighbouring Justice, to be dealt with according to Law. Persons in the Act of offending may be apprehended without Warrant.

VI. And be it enacted, That if any Person in whose Possession or on whose Premises with his Knowledge any of the Articles of Property herein-after mentioned shall be faund in the Manner herein-after mentioned shall not satisfy the Justice or Justices before whom he shall be brought that he came lawfully by the same, or that the same was on his Premises *Stealing Property.* Justice may require Person to account for

Possession of certain Articles, and failing so to do he shall be liable to Punishment in following Cases:

mises without his Knowledge or Assent, it shall be lawful for such Justice or Justices to commit such Person to Gaol, in order that he may be brought forward for Trial for such Offence at the next Court of Petty Sessions of the District, unless he shall enter into Recognizance, with One or more Sureties, to appear before such Court; and if afterwards such Person shall be convicted at such Court of any of the next following Offences he shall be liable to the Punishment herein-after specified in each Case; that is to say,

Persons in possession of shipwrecked Goods.

Any Person in whose Possession or on whose Premises with his Knowledge any Goods, Merchandize, or Articles of any kind belonging to any Ship or Vessel in distress, or wrecked, stranded, or cast on shore, shall be found by virtue of a Search Warrant, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall be liable to a Fine not exceeding Fifty Pounds, or to be imprisoned for a Term not exceeding Twelve Months:

Shipwrecked Goods offered for Sale.

Any Person who shall offer or expose for Sale any Goods, Merchandize, or Articles whatsoever which shall have been unlawfully taken, or reasonably suspected to have been taken, from any Ship or Vessel in distress, or wrecked, stranded, or cast on shore as aforesaid, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall pay such Sum as the said Justice or Justices shall fix as a reasonable Reward to the Person who shall have seized the same, and shall also be liable to a Fine not exceeding Thirty Pounds, or to be imprisoned for a Term not exceeding Six Months; and in every such Case any Person to whom the same shall be offered for Sale, or any Officer of the Customs or Excise or Constabulary Force, or other Peace Officer, may lawfully seize the same, and with all convenient Speed carry the same or give Notice of such Seizure to some neighbouring Justice:

Officers of Customs, &c. may seize the Goods.

Persons in possession of stolen Mutton, &c.

Any Person in whose Possession or on whose Premises with his Knowledge the Carcass of any Sheep, Lamb, or Deer, or the Head, Skin, or other Part thereof, or any Venison, Mutton, Fat, Skin, or Fleece of such Deer, Sheep, or Lamb, shall be found by virtue of any Search Warrant, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall pay to the Party aggrieved the Charges previous to and attending his Conviction, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for a Term not exceeding Three Months:

Persons in possession of stolen Wood.

Any Person in whose Possession or on whose Premises with his Knowledge the whole or any Part of any Tree, Sapling, or Shrub, or any Underwood, or any Part of any live or dead Fence, or any Post, Pale, Rail, Stile, or Gate, or any Part thereof, being of the Value of Two Shillings at the least, shall be found by virtue of any Search Warrant, and who shall not satisfy the Justice or Justices that he came lawfully by the same, shall pay to the Party aggrieved the Value of the Article or Articles so found, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for a Term not exceeding One Month:

Justices may order Restitution of stolen Property.

And in every Case where any such Articles of Property shall be of a perishable Nature it shall be lawful for the Justice or Justices by whom such Person shall be so bound to appear at Petty Sessions, to direct that the same shall be delivered over to such Person as he or they shall be clearly satisfied to be the rightful Owner thereof; and in every Case where any such Articles of Property shall not be so delivered over in the first instance, it shall be lawful for the Justice or Justices by whom the Case shall be heard at Petty Sessions to direct that the same shall be delivered over to the rightful Owner, if known, or if the rightful Owner shall not be known, that the same shall be sold, and the Proceeds thereof applied in like Manner as any Penalties imposed by any Justice shall be by Law applicable: Provided always, that if any Person shall not under the Provisions last aforesaid be liable to Conviction, then, for the Discovery of the Person who actually stole or killed such Articles of Property, it shall be lawful for the Justice or Justices, at his or their Discretion, as the Evidence given and the Circumstances of the Case shall require, to summon before him or them any and every Person through whose Hands such Articles of Property or any Part thereof shall appear to have passed; and if the Person from whom the same shall have been first received, or any Person who shall have had Possession thereof, shall not satisfy the Justice or Justices that he came lawfully by the same, he shall be liable to the like Punishment as is herein-before provided in each Case.

In case they are not convicted, Justice may summon other Persons.

VII. And

VII. And be it enacted, That any Person who shall commit any of the next following Offences shall be liable to the Punishment herein-after specified in each Case: Justices may order Punishment in the following Cases:

Any Person who shall unlawfully and wilfully course, hunt, snare, or carry away, or kill or wound, or attempt to kill or wound, any Deer kept or being in any Park, Paddock, or inclosed Land wherein Deer shall be usually kept, shall be liable to a Fine not exceeding Thirty Pounds, or to be imprisoned for a Term not exceeding Six Months: Stealing, &c. Deer in any inclosed Ground.

Any Person who shall steal any Dog, or any Beast or Bird ordinarily kept in a State of Confinement, not being the Subject of Larceny at Common Law, or in whose Possession or on whose Premises the same, or the Skin or Plumage thereof, shall be found by virtue of a Search Warrant, such Person knowing that the said Dog, Beast, or Bird has been stolen, or that the Skin is the Skin of a stolen Dog or Beast, or that the Plumage is the Plumage of a stolen Bird, shall for the First Offence pay the Value of the Dog, Beast, or Bird to the Party aggrieved, and shall also be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Six Months; and for a Second or subsequent Offence shall, in addition to any such Compensation, be liable to a Fine not exceeding Twenty Pounds, or to be imprisoned for a Term not exceeding Twelve Months: Stealing Dogs or Beasts or Birds ordinarily kept in Confinement, and not the Subjects of Larceny.

Any Person who shall steal, or damage with Intent to steal, any Part of any live or dead Fence, or any Wooden Post, Pale, or Rail set up or used as a Fence, or any Stile or Gate, or any Part thereof respectively, shall for the First Offence pay to the Party aggrieved the Value of the Article or Articles so stolen, or the Amount of the Injury done, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for a Term not exceeding Three Months; and for any subsequent Offence shall, in addition to any such Compensation, be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Six Months: Stealing, &c. any live or dead Fence, Wooden Stile or Gate. First Offence. Subsequent Offence.

Any Person who shall steal, or shall cut, break, root up, or otherwise destroy or damage with Intent to steal, the whole or any Part of any growing Tree, Sapling, Shrub, or Underwood, or any growing Fruit or vegetable Production, or any growing cultivated Root or Plant, shall, in case the Value of the Article or Articles stolen or the Amount of the Injury done shall not exceed Five Pounds, for the First Offence pay to the Party aggrieved the Value of the Article or Articles stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for any Period not exceeding Three Months; and for any Second or subsequent Offence of the same Kind shall, in addition to any such Compensation, be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Six Months: Stealing Trees, Shrubs, &c. under the Value of 5*l.* growing anywhere. First Offence. Second Offence.

Any Person who shall steal, or damage with Intent to steal, the whole or any Part of any Tree, Sapling, Shrub, or Underwood, or any cultivated Plant, Root, Fruit, or vegetable Production, severed from the Soil, or any Turf or Peat manufactured or partly manufactured for Fuel, in case the Value of such Article or Articles stolen or the Amount of the Injury done shall not exceed Forty Shillings, shall for the First Offence pay to the Party aggrieved the Value of the Article or Articles so stolen or the Amount of the Injury done, and shall also be liable to a Fine not exceeding Five Pounds, or to be imprisoned for a Term not exceeding Three Months; and for a Second or subsequent Offence of the same Kind shall, in addition to any such Compensation, be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Six Months: Stealing Trees, Plants, &c. severed from the Soil, or Turf Fuel, not exceeding 40*s.* in Value. First Offence. Second Offence.

Any Artificer, Workman, Journeyman, Apprentice, Servant, or Labourer who shall unlawfully dispose of or retain in his Possession, without the Consent of the Person by whom he shall be hired, retained, or employed, any Goods, Wares, Work, or Materials committed to his Care or Charge, the Value of such Goods, Wares, Work, or Materials not exceeding the Sum of Five Pounds, shall pay to the Party aggrieved such Compensation as the Justice or Justices shall think reasonable, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for a Term not exceeding One Month: Workman making away with Goods committed to his Care.

And in every such Case any such Articles of stolen Property shall, by Order of the Justice or Justices by whom the Case shall be heard and determined, be delivered over to the rightful Justices may order Restitution of stolen Property.

Stealing Property.

rightful Owner, if known, or if the right Owner shall not be known, the same shall be sold, and the Proceeds thereof applied in like Manner as any Penalties imposed by a Justice or Justices shall be by Law applicable.

If any such last-mentioned Offence be deemed fit for Indictment, Case to be dealt with as such.

VIII. And be it enacted, That if the Justice or Justices before whom any Person charged with any of such last-mentioned Offences relating to the stealing or damaging with Intent to steal any such Property shall be brought shall be of opinion that the Case is a fit Subject for Prosecution by Indictment for Larceny, such Justice or Justices shall, instead of summarily adjudicating thereupon, deal with the Case as one to be prosecuted by Indictment at the Assizes or Quarter Sessions.

Persons in the Act of committing such Offences may be apprehended without Warrant.

IX. And be it enacted, That any Person found committing any of the said Offences in respect to the stealing or damaging with Intent to steal Property may be immediately apprehended, without a Warrant, by any Sub-Inspector, Head or other Constable, or by the Owner of the Property with respect to which the Offence shall be committed, or by the Servant of such Owner or any Person authorized by such Owner, and such Offender may be forthwith taken before some neighbouring Justice, to be dealt with according to Law.

A Justice, upon good Grounds of Suspicion, proved on Oath, may grant a Search Warrant.

X. And be it enacted, That if any credible Witness shall prove upon Oath before a Justice that there is reasonable Cause to suspect that any such Property with respect to which any such Offences as aforesaid, as to any Person having shipwrecked or stolen Goods in his Possession, or stealing or damaging with Intent to steal the Articles of Property aforesaid, shall have been committed, is in any Dwelling House, Outhouse, or other Place or Places, the Justice may grant a Warrant to search such Dwelling House, Outhouse, or other Place or Places for such Property, as in the Case of other stolen Goods; and any Person to whom any such Property shall be offered to be sold, pawned, or delivered, if he shall have reasonable Cause to suspect that any such Offence has been committed on or with respect to such Property, is hereby authorized, and, if in his Power, is required to apprehend, without a Warrant, and forthwith to carry before a neighbouring Justice, the Party offering the same, together with such Property, to be dealt with according to Law.

Any Person to whom stolen Property is offered to seize the Party.

Receivers of Property, where the original Offence is punishable summarily, shall be punishable as original Offenders.

XI. And be it enacted, That where the stealing or taking of any Property whatsoever is punishable by this Act, any Person who shall receive any such Property, knowing the same to be unlawfully come by, shall, on Conviction thereof before a Justice or Justices, be liable, for every First, Second, or subsequent Offence of receiving the same, to the same Forfeiture and Punishment to which a Person guilty of a First, Second, or subsequent Offence of stealing or taking such Property is by this Act made liable.

Juvenile Offenders.

Persons not exceeding Fourteen Years of Age committing certain Offences may be summarily convicted.

XII. And be it enacted, That every Person who shall be charged with having committed or having attempted to commit, or with having been an Aider, Abettor, Counsellor, or Procurer in the Commission of any Offence which now is or hereafter shall or may be by Law deemed or declared to be Simple Larceny, or punishable as Simple Larceny, and whose Age at the Period of the Commission or attempted Commission of such Offence shall not, in the Opinion of the Justice or Justices before whom he shall be brought or appear, exceed the Age of Fourteen Years, shall, upon Conviction thereof before a Justice or Justices sitting in Petty Sessions and in open Court, be committed to Gaol for any Term not exceeding Three Months, or in the Discretion of the Justice or Justices shall pay such Fine not exceeding Three Pounds as the said Justice or Justices shall adjudge, or, if a Male, shall be once privately whipped, either instead of or in addition to such Imprisonment; and the said Justice or Justices shall from Time to Time appoint some fit and proper Person to inflict said Punishment of Whipping when ordered to be inflicted out of Prison: Provided always, that if such Justice or Justices, upon the Hearing of any such Case, shall deem the Offence not to be proved, or that it is not expedient to inflict any Punishment, he or they shall dismiss the Party charged, on finding Surety or Sureties for his future good Behaviour, or without such Sureties, if the said Justice or Justices shall so think fit: Provided also, that if such Justice or Justices shall be of opinion, before the Person charged shall have made his Defence, that the Charge is from any Circumstance a fit Subject for Prosecution by Indictment, or if the Parent or next Friend of the Person charged shall, upon his being called upon to answer the Charge, object to the Case being summarily

If Offence not proved, or Punishment inexpedient, Justices may dismiss Parties, with or without Sureties.

If the Charge is thought fit for Indictment, &c. Case to be dealt

summarily disposed of under the Provisions of this Act, such Justice or Justices shall, instead of summarily adjudicating thereupon, deal with the Case as one to be prosecuted by Indictment at Assizes or Quarter Sessions. with as if this Act had not passed.

XIII. And be it enacted, That no Conviction of any such Juvenile Offender for any such Offence shall be attended with any Forfeiture save as herein-before mentioned, but whenever any such Person shall be deemed guilty of such Offence it shall be lawful for the Justice or Justices to order Restitution of the Property in respect to which such Offence shall have been committed to the Owner thereof or his Representatives; but if such Property shall not then be forthcoming, the Justice or Justices, whether he or they shall award Punishment or dismiss the Complaint, may inquire into and ascertain the Value thereof in Money, and if he or they shall think proper order Payment of such Sum of Money to the true Owner by the Person convicted, either at One Time or by Instalments at such Periods as he or they may deem reasonable. No Forfeiture upon such Convictions, but presiding Justices may order Restitution of Property; and if not forthcoming may order Compensation.

Frauds as to Property.

XIV. And be it enacted, That any Person who shall commit any of the next following Offences shall on Conviction thereof be liable to such Punishment as is herein-after specified in each Case: Punishment for Offences:

Any Person who shall sell or offer for Sale any Wheat, Rye, Meslin, Peas, Beans, Barley, Bere, Oats, Shillin, Cutlings, Meal, Flour, Malt, or other Corn which shall in the whole or in part be spoiled or adulterated by wetting or mixing therewith any Sand, Gravel, Dirt, or rotten or damaged Corn, Grain, Malt, Meal, or Flour, or grown or blighted Corn, or other Kind of Stuff, or which shall not be in Quality of equal Goodness to that produced to the View of the intended Buyer or Buyers thereof, or shall use any other Fraud or Deceit therein, in order to make such Corn, Grain, Malt, Meal, or Flour appear heavier than it would have been without such Mixture, Fraud, or Deceit, shall forfeit all such Corn, Grain, Malt, Meal, or Flour, to be disposed of as the Justice or Justices shall direct, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for any Term not exceeding One Month: Corn, &c. adulterated offered for Sale.

Any Person who shall in any Fair, Market, or other Place exhibit for Sale any unwholesome or fraudulently prepared Meat, Fish, or other Provisions or Food of any Kind for Man or Beast, or shall practise any Deceit or Fraud in respect to the Weight or Quality of any such Meat, Fish, or other Provisions, shall forfeit all such Meat, Fish, or other Provisions, to be disposed of as the Justice or Justices shall direct, and shall also be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for any Term not exceeding One Month: Frauds in the Sale of Meat, &c. in Markets.

And it shall be lawful for any Justice or Justices to seize or cause to be seized any of the Articles herein-before last mentioned as to which any such Offence shall be committed; and the said Justice or Justices may, if he or they shall deem it expedient, either proceed at once to hear and determine the Case, or may adjourn the Hearing thereof to the next Petty Sessions of the District.

Trespass of Persons.

XV. And be it enacted, That any Person who shall wilfully trespass in any Field, Garden, Pleasure Ground, Wood, or Plantation, or other Inclosure, and shall neglect or refuse to leave any such Place after he shall have been warned to do so by the Owner, or by the Caretaker or Servant of the Owner, or by any Person authorized in that Behalf by the Owner, or who shall repeat any such Trespass within One Month from the Time when such Warning shall have been so given to him, shall, on Conviction thereof, be liable to a Fine not exceeding Ten Shillings, and in default of Payment thereof at such Time as the Justice or Justices shall direct shall be liable to be imprisoned for a Term not exceeding One Week: Trespass on Fields, &c. after Warning;

Provided always, that nothing herein contained shall extend to any Case where the Party trespassing acted under a fair and reasonable Supposition that he had a Right to go into or upon any such Place, nor to any Trespass, not being wilful or malicious, committed in Hunting, Fishing, or the Pursuit of Game, but every such Trespass shall be punishable in the same Manner as before the passing of this Act: Provided also, that nothing herein contained shall prevent any Person from maintaining any Civil Action or Suit for any such Trespass, instead of proceeding under this Act. but not to extend to certain Cases of Trespass; and not to prevent Right of Civil Action.

Offences and Obstructions on public Roads.

Injuries to Road.

XVI. And be it enacted, That any Person who shall on or relating to any public Road commit any of the following Offences shall be liable to a Fine not exceeding Twenty Shillings; that is to say,

Punishment for Offences:

Any Person who shall scour, deepen, widen, or fill up any Ditch or Drain on the Side of any public Road, unless with the Consent of the County Surveyor or by the Authority of any Presentment:

Deepening Ditches without Consent:

Any Owner or Occupier of any Lands contiguous to any public Road who shall omit to scour any Ditch or Drain leading from such Road, so as to allow the Water to pass away, within Ten Days after Notice shall be given to him so to do by the County Surveyor or by the Contractor for the Repair of such Road, or who shall suffer the Passage of the Water to be obstructed by making or leaving any Way or Passage from any Road into the adjoining Lands, or into his House, without a sufficient Pipe, Sewer, or Gullet underneath it:

Omitting to scour Ditches, or to have Drains under Passages in and out of Roads, after Notice:

Building Houses:

Any Person who shall build or cause to be built any House or Part of a House within Thirty Feet of the Centre of any public Road, except in the Streets of Corporate or Market Towns, or where a House now stands, shall be liable to a Fine not exceeding Ten Pounds, and to a further Sum of Ten Shillings a Week from the Time of his Conviction until the same shall be pulled down or removed:

Altering Fences without Consent of County Surveyor, &c.:

Any Person who shall alter the Fences of any public Road, or who shall build any Wall, or make any Ditch, Drain, or Watercourse, or dig any Pit or Hollow, on any public Road, or within Thirty Feet of the Centre thereof (save upon or within any ancient Fence adjoining such Road), or who shall otherwise break up the Surface of any Road or Footpath, unless with the Consent of the County Surveyor or by the Authority of any Presentment:

Scraping Roads without Consent of County Surveyor, &c.:

Any Person who shall, without the Consent of such Surveyor or Contractor, scrape any public Road, or cut any Sods or Turf on the Side of any such Road, or take any Earth, Clay, Stone, or Gravel therefrom:

Drawing Timber, &c. so as to injure Road:

Any Person who shall draw any Timber or Stones along any Part of a public Road, without being supported by Wheels from touching the same:

Riding on Footpaths.

Any Person who shall ride or drive any Horse or other Animal willingly and unnecessarily on any Footpath:

Centre of Road.

Provided always, that the Centre of the Road, for the Purposes of this Act, shall be deemed to be the Centre of the Part thereof made with Gravel or Stones; and it shall be lawful for the County Surveyor or such Contractor, if duly authorized by the Justices at any Petty Sessions of such County, to fill up any Ditch or Drain which shall be scoured, deepened, or widened, or to scour any Drains which have been filled on the Side of any public Road, without such Consent as aforesaid, or to scour or deepen any Drain or Ditch leading from any Road which shall be omitted to be scoured or deepened after such due Notice as may be required by Law, or to remove any Way or Passage from any Road into any adjoining Land or to any House which may obstruct the free Passage of the Water, and to re-make the same by building a Gutter, Sewer, or Arch therein, or to pull down any Wall or fill up any Ditch or Drain which shall be so built or made contrary to the Provisions of this Act, at the Expense of the Offender or Occupier of the Lands where such Offence shall be committed; and it shall be lawful for the Justices at any Petty Sessions of the County, upon Complaint of such Surveyor or Contractor, and upon Proof of the Expenses incurred, to issue a Warrant for the Levy of such Expenses by Distress and Sale of the Goods and Chattels of such Offender or Occupier.

Surveyors may fill Drains and remove Nuisances, at Expense of Party offending.

Surveyor or Contractor may require Owners of Land to prune Hedges or Trees injuring Roads.

XVII. And be it enacted, That if the County Surveyor or the Contractor for the repairing of any public Road in any County shall think that such Road is prejudiced by the Shade of any Hedges or Trees (except those planted for Ornament or Shelter of any Dwelling House, Courtyard, or Garden), or if any Obstruction is caused in any public Road by any Hedge or Tree, it shall be lawful for such Surveyor or Contractor, and they or either of them, or any Head or other Constable, directed in Writing by Two Justices, are

are hereby authorized to require the Owner of the Land on which such Hedges or Trees are growing to cause such Hedges to be cut or plashed, or such Trees to be pruned or lopped, so as that such Road may not be prejudiced or obstructed by the same; and if such Owner shall not comply with such Request within Ten Days it shall and may be lawful for such Surveyor or Contractor or Constable as aforesaid, and they are hereby respectively authorized and required, to summon such Owner before the Justices assembled at any Petty Sessions of such County, to show cause why he has not complied with such Request; and if such Justices shall order and direct that such Hedges shall be cut or plashed, or such Trees pruned or lopped, and if the said Owner shall not obey such Order within Ten Days after the making of the same, it shall and may be lawful for such Surveyor or Contractor or Constable as aforesaid to cut or plash such Hedges, or to prune or lop such Trees, for the Benefit and Improvement of such Road, and to remove such Obstruction as aforesaid, to the best of his Skill and Judgment; and the said Surveyor or Contractor or Constable as aforesaid shall be reimbursed by the said Owner the Expenses he shall be at in cutting or plashing such Hedges, or pruning or lopping such Trees; and it shall be lawful for such Justices at Petty Sessions aforesaid, upon Complaint of such Surveyor or Contractor or Constable as aforesaid, and upon Proof of the Expenses incurred, to issue their Warrant for the Levy of such Expenses by Distress and Sale of the Goods and Chattels of such Owner or Occupier, in such Manner as any Forfeitures may be levied by virtue of this Act: Provided always, that no Person shall be compelled, nor any such Surveyor or Contractor or Constable as aforesaid permitted, to cut or prune any Hedge at any other Time than between the last Day of *September* and the last Day of *March*.

Owners not complying to be summoned before Justices at Petty Sessions;

who may order such pruning by Owner;

and on his Refusal Surveyor or Contractor may do it.

Owner to pay Expenses, which may be levied by Distress and Sale.

Hedges, &c. not to be cut or pruned at certain Seasons.

XVIII. And be it enacted, That if any County Surveyor or Road Contractor, or any other Person, shall dig, raise, and carry away any Gravel, Stones, Sand, or other Materials from the Side of any public Road, or from any Beach or Sea-shore, whereby a public Road, or Bulwark or Defence to any Bridge or like Building, or any Land within the Fences of any such Road, may be injured, he shall be liable to a Fine not exceeding Five Shillings for every Cartload of such Gravel, Stones, Sand, or other Materials so dug, raised, or carried away.

Penalty on taking Materials to the Injury of any Road or Building.

XIX. And be it enacted, That if any Person shall, by Day or by Night, wilfully damage or destroy any Pay Gate or Turnpike Gate, or any Post, Rail, Wall, Chain, Bar, or other Fence of any Kind whatsoever, which shall be used to prevent Passengers from passing by without paying the Toll payable by virtue of any Act of Parliament, or any Toll House for the Use of any such Pay Gate or Turnpike Gate, or shall forcibly rescue any Person or Persons, being lawfully in Custody of any Constable or other Person for any of the Offences last mentioned, he shall be liable to a Fine not exceeding Forty Shillings, or to be imprisoned for any Term not exceeding Two Months.

Penalty for destroying any Pay Gate or Turnpike Gate, &c.;

or rescuing any Person in Custody for such Offences.

XX. And be it enacted, That if any Person shall wilfully prevent, assault, or threaten to assault any County Surveyor or Road Contractor in the Execution of his Duty, or any Person or Persons employed by proper Authority in surveying or measuring or laying out any Line intended for a new Road, or shall wilfully destroy, pull up, deface, or injure any Surveyors Instruments or Implements used in making or laying out any public Road, or any Milestone, Milepost, or Direction Post, or any Bridge, Battlement, Wall, Railing, Mound, or Fence belonging to any public Road, or shall wilfully break, deface, pull down, or take away Stones out of any such Battlement, Wall, Mound, or Fence, or out of any Bridge, Pipe, Arch, or Gullet belonging to any public Road, he shall be liable to a Fine not exceeding Ten Pounds, or to be imprisoned for a Term not exceeding Three Months.

Penalty for assaulting Engineers, Surveyors, or Contractors on public Roads.

XXI. And be it enacted, That it shall and may be lawful for any Two Justices of the County, upon Application of the County Surveyor, to forbid any Person or Persons from riding or driving any Kind of Beast or Carriage on any new Road for such Space of Time as shall to them appear necessary, not exceeding Six Months after such new Road shall have been made, and the Expenditure thereon duly accounted for at Special Sessions; and any Person who shall wilfully disobey such Order, the same being duly notified by a Notice affixed to a Board or Boards erected upon such Road, shall be liable to a Fine not exceeding Twenty Shillings.

Penalty for using new Road for certain Time after making.

XXII. And

Road Nuisances.

Punishment for Offences:

XXII. And be it enacted, That any Person who shall commit any of the next following Offences shall be liable to a Fine not exceeding Ten Shillings; that is to say,

Turning Horse, &c. loose:

Any Person who shall in any public Road or Street of a Town turn loose any Horse or Cattle, or set on or urge any Dog or other Animal to attack or worry any Person, Horse, or other Animal:

Injury from Negligence, &c. in driving Cattle, &c.:

Any Person who by Negligence or Ill-usage in driving Cattle shall in any public Road or any Street of a Town cause any Mischief to be done by such Cattle:

Flying Kites or making Slides:

Every Person who shall fly any Kite or play at any Game, or make or use any Slide upon Ice or Snow, on any public Road or in any Street of a Town, to the common Danger of the Passengers:

Fireworks, &c.:

Any Person who shall cast or throw any Fireworks or discharge any Fire-arms on any public Road, or within Sixty Feet of the Centre thereof, or in any Street or Passage of a Town, or who shall cast, throw, or discharge the same, or suffer the same to be cast, thrown, or discharged, from out of his House, Shop, Dwelling, Lodging, or Habitation, or from out of any Place thereto belonging, into any public Road, Street, or Passage:

Leaving Ploughs, Harrows, &c. on the Road:

Any Person who shall leave or permit to be left on any public Road, opposite to or near his House or Office, any Plough, Harrow, Cart, or other Carriage, without the Horse or other Animal being harnessed thereto, unless such Carriage shall have been accidentally broken down there:

Slaughtering Beasts on a Road:

Any Person who shall slaughter any Beast, or leave any dead Beast, or skin or permit to be skinned any Beast, on any public Road or within Thirty Feet of the Centre thereof, save within any House or Yard:

Laying Stones, Timber, &c.:

Any Person who shall lay any Stones, Timber, Dirt, Dung, Turf, Straw, Rubbish, or Scourings of any Ditches or Drains, or other Object, on any public Road or within Thirty Feet of the Centre thereof, or in any Street of a Town, so as to cause Danger or Mischief to any Passengers, and shall allow the same to remain there longer than shall be absolutely necessary:

Scalding Casks, beating Flax, or winnowing Corn, &c:

Any Person who shall hoop, scald, or fire any Cask, or bind any Car or Cart Wheels, or beat any Flax, or thresh or winnow any Corn, on any public Road or Street of a Town, or within Thirty Feet of the Centre thereof, save within any House or Yard:

Keeping unlogged Dogs:

Any Person who shall keep or suffer to be at large within Fifty Yards of any public Road any Cur Dog, Mastiff, or Bull Dog, without having such Dog muzzled, or without having a Block of Wood fastened to the Neck of such Dog, of sufficient Weight to prevent such Dog from being dangerous:

Drying Flax or burning Weeds, &c.:

Any Person who shall steep any Flax, or burn any Bricks or Lime, or any Weeds or Vegetables for Ashes, upon any public Road, or within Sixty Feet of the Centre thereof, or shall make or assist in making any Fires commonly called Bonfires, or any other Kind of Fire, upon any public Road or within Sixty Feet of the Centre thereof, save within any House or Yard:

Carrying Timber crosswise.

Any Person who shall lead or drive on any public Road or Street of a Town any Car or Carriage with Timber, Boards, or Iron laid across, so that either End shall project more than Two Feet beyond the Wheels or Sides thereof:

Surveyor or Contractor not liable to Fine, except in certain Cases.

Provided always, that nothing herein contained shall render any County Surveyor or Road Contractor liable to any Fine for any Act done by such Surveyor in the Discharge of the Duties of his Office, or by such Contractor in the necessary Execution or Performance of his Contract; but if any such Surveyor or Contractor shall lay or cause to be laid any Heap of Stones, Gravel, Rubbish, or other Matter whatever, upon any public Road, and allow the same to remain there at Night, to the Danger or personal Damage of any Person passing thereon, all due and reasonable Precautions not having been taken by him to prevent any such Danger or Damage, such Surveyor or Contractor shall be liable to a Fine not exceeding Forty Shillings.

Swine, &c. wandering on Roads may be seized and im-

XXIII. And be it enacted, That it shall be lawful for any Person whatsoever to seize and impound, or cause to be seized or impounded, any Swine or other Beast which shall be found wandering upon any public Road, or about the Streets or Passages of any Town, in case the Owner

Owner shall not claim such Animal, or shall not be known; and it shall be lawful for any Justice to impose upon the Owner of such Animal, if known, a Fine not exceeding Two Shillings; and in case such Fine, and the Expenses of impounding and detaining such Animal when it shall be so impounded, shall not be paid within Four Days after imposing such Fine, or after such impounding, as the Case may be, it shall be lawful for any Justice to cause such Animal to be sold, and out of the Money arising from the Sale thereof to cause such Fine, and Expenses of impounding, keeping, and selling the same, to be paid, rendering the Overplus (if any) to the Owner, due Notice having been previously given of such Sale, in which shall be inserted the Name of the Parish and Townland where such Animal was seized; which Notice shall be posted up in some conspicuous Place in the Parish where such Animal was seized, and at the Place where impounded, Forty-eight Hours at the least before the Time of Sale.

pounded, and Owner fined, &c.

Notice of Seizure to be posted.

XXIV. And be it enacted, That it shall be lawful for the County Surveyor or Road Contractor, or any Head or other Constable duly authorized in Writing by any Justice of the County, to remove any of the herein-before mentioned Objects which may be so left on any public Road or Street contrary to the Provisions of this Act, at the Expense of the Offender; and it shall be lawful for the Justices at any Petty Sessions of the County, upon Complaint of such Surveyor, Contractor, or Constable, and upon Proof of the Expense incurred, to issue a Warrant for the Levy of the same by Distress and Sale of the Goods and Chattels of the Offender; and for every Cartload of Dung, Rubbish, Scourings, Clay, Stones, Bricks, Sand, or Lime, or other like Materials, which shall have been laid on any public Road or Street contrary to the Provisions of this Act, and which shall be allowed to remain there for more than Twenty-four Hours after the Owner thereof shall have been required by any Justice or by the County Surveyor, by Notice in Writing, to remove the same, such Owner shall, in addition to any Fine for so leaving the same there in the first instance, be also liable to a further Fine not exceeding Two Shillings and Sixpence for every Day that the same shall be allowed to remain there after the Expiration of the said Period of Twenty-four Hours; and it shall also be lawful for any Justice or Justices, within his or their Jurisdiction, to issue a Warrant to any Head or other Constable, directing him to seize or kill any dangerous Dog which shall be kept near any public Road contrary to the Provisions of this Act, and such Head or other Constable may accordingly seize or kill any such Dog.

Justice may order Removal of Nuisances.

Fine for every Day that Materials are left on Road after Notice to remove the same.

Justices may order dangerous Dogs to be killed.

XXV. And be it enacted, That any of the Persons herein-after mentioned who shall commit any of the next following Offences on any public Road or in any Street of a Town shall, in addition to any Civil Action to which he may subject himself, be liable for each of such Offences to a Fine not exceeding Forty Shillings; that is to say,

Stage Carriages:

Punishment for Offences:

Any Driver, Owner, or Guard of any Coach, Omnibus, Car, Caravan, or other Carriage, by what Name soever the same is or shall hereafter be called or known, which shall be employed as a public Stage Carriage for the Purpose of conveying Passengers for Hire, who shall permit more Passengers to be carried by the same than the Number for whom Seats shall be respectively provided, inside or outside of the same, allowing a Space of at least Sixteen Inches for each Passenger, over and above the Space allotted to the Driver and Guard when there is a Guard: Provided always, that no Child under Seven Years of Age shall be included in or counted as One of such Number; and it shall be lawful for any Justice, Sub-Inspector, Head or other Constable, to stop any such Carriage which shall appear to carry a greater Number of Passengers than it can legally carry under the Provisions of this Act, and to measure the Seats of same, in order to ascertain whether sufficient Space has been allotted to the Passengers:

Carrying more than a certain Number:

Any Driver, Owner, or Guard of any such Carriage who shall carry a greater Number of Persons than such Carriage can carry on the Seats of same according to the Provision herein-before contained, or who shall allow any Passenger to sit upon the Top of any Luggage, or upon any Part of such Carriage not intended to carry Passengers, or who shall carry or permit or suffer any Parcel or Parcels of Luggage whatever exceeding Two Feet in Height above the Roof to be conveyed on any such Carriage carrying Inside Passengers:

Carrying Luggage on the Top of any Carriage with Inside Passengers exceeding a certain Height:

Any

Omitting to paint Number of Passengers to be conveyed, on the Doors, &c. of public Carriages:

Any Person who shall keep any such Carriage for the Purpose of conveying Passengers for Hire, and who shall not paint or cause to be painted on the Outside of the Door, or of each Door when there shall be more than One, of such Carriage, or on some other conspicuous Part of such Carriage, in legible Letters of at least One Inch in Height, and in a different Colour from the Ground on which the same is painted, and in Words at Length, the Number of Passengers which such Carriage shall be intended to carry, together with the Name or Names of the Person or Persons or Firm of the Company of Proprietors to whom such Carriage shall belong, or who shall cause any such Carriage as aforesaid to be employed or used for carrying any Passengers for Hire without having the said Words painted in such Manner as is herein-before directed:

Misconduct of Drivers, &c. to Passengers, &c.:

Any Driver or Guard of any such Carriage who shall, by reason of Intoxication, Negligence, or other Misconduct, endanger the Passengers in their Lives or their Property, or the Property of any other Person with which they may be intrusted, or who shall wilfully mis-spend or lose Time on the Road, or who shall use abusive or insulting Language to any Passengers, or who shall demand or exact more than the proper Fare due from any Passenger: Provided always, that in any such Case the Justice or Justices may, in addition to the Fine, order such Offender to repay to the Party aggrieved any Sum so exacted, and also to make reasonable Compensation for any Damage or Loss caused by such Mischief:

Drivers leaving their Horses until a proper Person shall stand at their Head:

Any Driver of any such Carriage who shall (at any Place or Places where Assistance can be procured) quit his Horse or Horses, or the Box of such Carriage, until a proper Person or Persons shall stand at the Head of the Horse or Horses or Fore-horse or Fore-horses, or shall hold the Reins so as to prevent them from running away, or any such last-mentioned Person or Persons who shall not remain at their Head or hold the Reins until the Driver has returned to his Box, or any Driver of any such Carriage who shall intrust the Reins to any other Person to drive such Carriage, or any Person who shall so take such Reins and drive such Carriage:

Summons for the Driver left with the Book-keeper to be good Service.

And any Summons issued by any Justice requiring any Owner, Driver, or Guard of any such Carriage to appear before him to answer to any Complaint for any such Offence shall be deemed good and sufficient Service in case the same be left with the known or acting Book-keeper, or with any other Person having the Care of any Office where Places are usually taken or Parcels received for such Carriage.

Carts and Cars.

Punishment for Offences:

XXVI. And be it enacted, That any of the Persons herein-after mentioned who shall commit any of the next following Offences on any public Road, or in any Street of a Town, shall, in addition to any Civil Action to which he may subject himself, be liable for every such Offence to a Fine not exceeding Ten Shillings; that is to say,

Where Names of Owners are not painted on Carts, &c.:

Any Owner of any Cart, Dray, Waggon, or other such Carriage for the Conveyance of Goods, who shall not paint or cause to be painted upon some conspicuous Part of the Right or Off Side of such Carriage, before the same shall be used on any public Road or Street of a Town, in legible Letters not less than One Inch in Height, and in a different Colour from the Ground on which the same is painted, and in Words at Length, his Name or Residence, or the Name and Residence of a Partner or Owner thereof, and who shall not continue the same thereupon so long as such Carriage shall be used upon any such public Road or Street, or who shall use or allow the same to be used on any such public Road or Street without the said Name and Residence being painted thereon as aforesaid, or who shall suffer the same to become illegible, or who shall paint or cause to be painted any false or fictitious Name or Residence on such Carriage:

One Driver taking charge of more than One Cart, &c., except in certain Cases:

Any Person who shall act as the Driver or have the sole Charge of more than One such Carriage as last aforesaid on any public Road or Street, unless in the Cases where Two of such Carriages and no more shall be drawn each by One Horse only, and the Horse of the hinder of such Carriages shall be attached by a sufficient Rein to the Back of the foremost of such Carriages:

Drivers of Carts riding thereon without some other Person to guide them.

Any Person having the Care and Charge of any such Carriage as last aforesaid who shall ride upon the same, or upon any Horse drawing the same, on any public Road or Street, not being accompanied by some other Person on Foot or on Horseback to guide the same,

same, except where such Carriage shall be driven with Reins, and be conducted by some Person holding the Reins of all the Horses drawing the same:

Drivers leaving their Carts:

Any Driver of any such Carriage as last aforesaid who shall negligently or wilfully be at such Distance from such Carriage, or in such a Situation whilst it shall be passing upon any such Road or Street, that he cannot have the Direction of the Horse or Horses drawing the same, or shall leave any such Carriage on such Road or Street so as to obstruct the Passage thereof:

Drivers refusing to tell Owner's Name:

Any Driver of any such Carriage as last aforesaid, not having the Owner's Name thereon as hereby required, and remaining legible thereon, who shall refuse to tell or to discover the true Christian and Surname and Residence of the Owner of such Carriage:

One-horse Cars without double Reins.

Any Person having the Care of any such Carriage drawn by One Horse, Mule, or Ass who shall not have a double Rein extending back to such Carriage.

Rules of the Road.

XXVII. And be it enacted, That any Person who shall on any public Road or Street commit any of the next following Offences shall, in addition to any Civil Action to which he may make himself liable, be also liable for every such Offence to the Punishment hereinafter specified in each Case; that is to say,

Punishment for Offences:

Keeping on wrong Side of the Road:

Any Person driving any Carriage whatsoever, or riding any Horse or other Animal, who, meeting any other Carriage or Horse or other Animal, shall not keep his Carriage or Horse or other Animal on the Left or Near Side of the Road or Street, or, if passing any other Carriage or Horse or other Animal going in the same Direction, shall not in all Cases where it is practicable go and pass to the Right Side of such other Carriage or Horse or other Animal, shall be liable to a Fine not exceeding Ten Shillings:

Passing with a led Horse:

Any Person riding any Horse and leading any other Horse, who shall not keep such led Horse on the Side away from any Carriage or Person passing him on any public Road or in any Street of a Town, shall be liable to a Fine not exceeding Ten Shillings:

Obstructing free Passage:

Any Person who shall in any Manner wilfully prevent any other Person, or any Carriage or Horse or other Animal under his Care, from passing him upon any public Road or Street, or who shall by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Person or Carriage on any public Road or Street, shall be liable to a Fine not exceeding Twenty Shillings:

Furious Driving:

Any Person riding any Horse or Animal, or driving any Sort of Carriage, who shall ride or drive the same furiously on any public Road or Street so as to endanger the Life or Limb of any Passenger or Person, or to the common Danger of the Passengers, or who shall by Carelessness or wilful Misbehaviour cause any Hurt or Damage to any Person or Property being on any public Road or Street, shall be liable to a Fine not exceeding Twenty Shillings:

Negligent Driving:

Children under Thirteen Years not to drive.

And no Cart, Dray, Waggon, or other such Carriage, and no Hackney Car or Carriage, or Car or Carriage let on Hire, travelling on any public Road or Street, shall be driven by any Person who shall not be of the full Age of Thirteen Years, under a Penalty not exceeding Ten Shillings, to be paid by the Owner of such Carriage.

Compensation for Damage not exceeding 40*s.* recoverable before Justices in such Cases.

XXVIII. And be it enacted, That in every Case where any Hurt or Damage shall have been caused by the Commission of any of the said Offences upon Roads or in Streets of Towns, the Justice or Justices, upon the Hearing of the Complaint, may, in addition to any Penalty herein provided, adjudge as and for Compensation to be paid to any Party aggrieved thereby a Sum not exceeding Forty Shillings, provided such Amount of Damage shall have been proved, and may order the Party offending, or, in case of an Offence by the Driver of any Carriage, the Owner of such Carriage, forthwith to pay such Sum, and also such Costs as shall have been incurred, and the Payment thereof may be enforced in like Manner as any Fine may be enforced under and by virtue of this Act, and subject to the like Provisions as to Imprisonment in default of Distress for the same: Provided always, that any Sum which shall be so paid by the Owner shall and may in like Manner be recovered by him in a summary Way before a Justice or Justices from the Driver through whose Default such Sum shall have been so paid, upon Proof of the Payment thereof pursuant to the Order of the Justice or Justices.

Owners may recover over against Drivers.

Offences and Obstructions on public Roads.

Constabulary to take cognizance.

Offenders, if known, to be summoned; or if not known, may be arrested.

Proceeding if Driver will not discover his Name.

Offenders as to Carriages, &c. on Roads may be proceeded against wherever they may be.

XXIX. And be it enacted, That the County and Sub Inspectors, Head and other Constables of the Constabulary Force shall take cognizance of all such Offences upon any public Road or in any Street of a Town as aforesaid, and shall, in every Case where the Name and Residence of any such Offender is known or can be ascertained, summon him before the Justices at Petty Sessions; and where the Name and Residence of such Offender shall be unknown and cannot be ascertained, he may, with or without any Warrant, be apprehended by any County or Sub Inspector, Head or other Constable, or any Persons whom he may call to his Assistance, and shall be forthwith conveyed before any Justice or Justices, to be dealt with according to Law; and if any such Person in any of the Cases aforesaid shall refuse to discover his Name, it shall be lawful for the said Justice or Justices before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to Gaol, there to be kept to hard Labour for any Time not exceeding One Month, or to entertain any Proceeding against him for the Penalty aforesaid by a Description of his Person and the Offence only, without adding any Name or Designation, but expressing in the Proceedings that he refused to discover his Name; and in all Cases of Proceedings for any such Offences by the Owner or Driver of any Carriage or Animal on any public Road or Street of a Town, it shall be lawful to summon the Offender either before the Justices of the Petty Sessions District in which the Offence shall be committed, or before the Justices of any other Petty Sessions District in which such Offender may reside or be at the Time of taking such Proceeding, and such Justices are hereby authorized to hear and determine such Case, either upon the Complaint of such County or Sub Inspector, Head or other Constable, or of any other Person.

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

XXX. And be it enacted, That whenever any Person having Charge of any Horse, Cart, Carriage, or any other Animal or Thing, shall be taken into the Custody of any Head or other Constable under the Provision herein-before last contained, it shall be lawful for such Head or other Constable to take charge of such Horse, Cart, Carriage, or such other Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Penalty to which the Person having had Charge thereof may become liable, and for Payment of any Expenses which may have been necessarily incurred for taking charge of and keeping the same; and it shall be lawful for the Justice or Justices by whom the Case shall be heard to order that, in default of such Penalty and Expenses being paid, such Horse, Cart, Carriage, or such other Animal or Thing, shall be sold, for the Purpose of satisfying such Penalty and Expenses, in like Manner as if the same had been subject to be distrained and had been distrained for the Payment of the same.

CIVIL JURISDICTION.

Order for Possession of Small Tenements.

Possession of small Tenements may be recovered by Summons before Justices of the Peace.

XXXI. And be it enacted, That from and after the passing of this Act, when the Term or Interest of the Tenant of any House or any Part of a House, situate in any City, Town, or Village in which any Fair or Market is usually held, and which shall be held by him for any Term not exceeding One Calendar Month at a Rent not exceeding the Rate of One Pound Sterling by the Month, shall have ended, or shall have been duly determined by a legal Notice to quit, and such Tenant, or (if such Tenant do not actually occupy the Premises, or only a Part thereof,) any Person by whom the same or any Part thereof shall be then actually occupied, shall neglect or refuse to deliver up Possession of the same, it shall be lawful for the Landlord of the said Premises, or his known Agent, or for the Receiver of the Rents of his Estate, to cause the Person so neglecting or refusing to quit and deliver up Possession to be served with a Summons in Writing, to be signed by a Justice or Justices having Jurisdiction in the Place in which the said Premises shall be situated, to appear before a Justice or Justices at the Petty Sessions of the District in which the said Premises shall be situated, to show Cause why Possession of the said Premises should not be delivered up to such Landlord or such Agent or Receiver as aforesaid; and if the Tenant or Occupier shall not appear at the Time and Place appointed, or if such Tenant or Occupier shall appear, and shall not show to the Satisfaction of such Justice or Justices reasonable Cause why Possession should not be given, and shall still neglect or refuse to deliver up the Possession of the said Premises, or such Part thereof as he was in possession or occupation of at the Time of the Service of such Summons, to the said Landlord or the said Agent or Receiver, it shall be lawful for the said Landlord or the said Agent or Receiver to give such Justice or Justices Proof of the

Order for Possession of Small Tenements.

the Holding and of the End or Determination of the Tenancy, with the Time and Manner thereof, and, where the Title of the Landlord hath accrued since the letting of the Premises, the Right by which he claims the Possession; and thereupon it shall be lawful for such Justice or Justices to issue a Warrant under their Hands to any Head or other Constable of or acting in the District within which such Premises shall be situate, or to any other Person as a special Bailiff in that Behalf, requiring and authorizing him, within a Period to be therein named, not less than Seven or more than Ten clear Days from the Date of such Warrant, to give Possession of the Premises to such Landlord, Agent, or Receiver; and such Warrant shall be a sufficient Warrant to the said Constable or Bailiff to enter upon the Premises, with such Assistants as he shall deem necessary, and to give Possession accordingly: Provided always, that Entry upon any such Warrant shall not be made on a *Sunday*, *Good Friday*, or *Christmas Day*, or at any Time except between the Hours of Nine in the Morning and Four in the Afternoon.

If Party summoned give Undertaking to deliver up Possession and pay Arrears in 14 Days, no Warrant shall issue; but if Party continue in possession at the End of such 14 Days, Justices may issue Warrant forthwith.

XXXII. And be it enacted, That if the Party so summoned to give up Possession shall, in obedience to such Summons, appear before the Justices, and shall give an Undertaking (to be entered in Writing by the Clerk of Petty Sessions) quietly and peaceably to deliver up, within Fourteen Days from the Date thereof, Possession of the Premises of which he is such Tenant or Occupier, in good Order and Repair, to the Landlord, or such Agent or Receiver, and in the meantime to pay all Rent and Arrears of Rent claimed by such Landlord in respect to such Tenement, in such Case the Justices shall not issue their Warrant for giving Possession till the Expiration of such Period of Fourteen Days: Provided always, that if the Tenant or Occupier shall at the Expiration of such Period continue in possession or occupation of the said Tenement, save by the Permission of such Landlord, Agent, or Receiver, it shall be lawful for the Justices, at the Instance of the Landlord or of such Agent or Receiver, to issue their Warrant for giving Possession of the same as aforesaid, and such Warrant shall be executed forthwith, without further Notice to such Tenant or Occupier.

Manner in which such Summons shall be served.

Substitution of Service in certain Cases.

XXXIII. And be it enacted, That such Summons as last aforesaid may be served either personally or by leaving the same with some Person being in occupation of such House or Part of a House, and where the Tenant of such House or Part of a House shall not reside therein, by serving the same personally or by leaving the same at the Place of Abode of the Tenant so holding over as aforesaid Four clear Days before the Day appointed for the Hearing of the Matter of the said Summons: Provided always, that if the Person so holding over cannot be found, and Admission into the Premises so overheld for serving such Summons cannot be obtained, and the Place of Abode of such Person not residing as aforesaid shall either not be known or Admission thereto cannot be obtained for serving such Summons, the posting of the said Summons on some conspicuous Part of the Premises so held over shall be deemed to be good Service upon such Person.

But Act not to protect Persons who have no legal Right.

XXXIV. And be it enacted, That nothing herein contained shall be deemed to protect any Person by whom any such Warrant for the Delivery of Possession of Tenements shall be sued out as aforesaid from any Action which may be brought against him by any such Tenant or Occupier for or in respect of such Entry and taking possession, where such Person had not, at the Time of suing out the same as aforesaid, lawful Right to the Possession of the said Premises.

Master and Servant.

Justice may punish Servant, &c. for not observing Contract.

XXXV. And be it enacted, That if any Servant, Artificer, or Labourer or other Person shall engage, by a Contract in Writing signed by both Parties, with any Person, to serve him at any Time and in any Manner, and shall not enter into or commence his Service according to such Contract, or having entered into any Service under any Contract, whether in Writing or not, shall absent himself from the same before the Term specified in such Contract shall be completed, or shall neglect to fulfil the same, or shall be guilty of any Misconduct or Misdemeanor in the Execution of the same or in any way respecting the same, it shall be lawful for any Justice or Justices, upon Complaint thereof on Oath, either to summon such Servant to Petty Sessions, or to issue his or their Warrant to apprehend such Servant, Artificer, or Labourer, and to hear and determine at Petty Sessions such

Master and Servant.

Complaint made against him by his Employer, or by the Steward, Manager, or Agent of his Employer, and if it shall appear that he has not fulfilled his Contract, or has been guilty of any Misconduct in respect to the same, to impose upon him a Fine not exceeding the Sum of Five Pounds, and in default of Payment of such Fine at such Time as the Justice or Justices shall fix, to commit him to Gaol for any Term not exceeding Three Months, and to abate the whole or a Part of his Wages, and, if he shall see fit, to discharge him from his Contract or Service, by Writing under the Hand of such Justice.

Justice may order Wages to be paid.

XXXVI. And be it enacted, That it shall be lawful for any Justice or Justices to hear and determine any Disputes and Differences which shall arise between any Master and his Apprentice, or any Employer and his Labourers or Servants, concerning any Wages, where the Demand, whether originally greater or not, shall not exceed Ten Pounds, and whether such Wages shall be due in respect to any Day's Work or to any Labour done or performed by Task, Job, or Contract, and to make such Order for Payment of so much Wages to any such Apprentice, Labourer, or Servant as, according to the Terms of his Apprenticeship or other Agreement, as the Case may be, shall appear, under all the Circumstances of the Case, to be justly due, and also of so much Compenstion as is herein-after provided; and if such Sum, and such Costs and Compensation as may be awarded, shall not be paid by the Person ordered to pay the same, either immediately or within such Time as shall be directed by the Justice or Justices, it shall be lawful for him or them, and he or they are hereby required, to issue his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Person refusing or omitting to pay the same, rendering the Overplus, if any, to such Person.

How Servants, &c. shall recover their Wages in Cases of Absence of Masters, &c.

XXXVII. And be it enacted, That in every Case where the Master or Employer shall intrust his Business to the Management and Superintendence of any Steward, Agent, Bailiff, Foreman, or Manager, it shall be lawful for any Justice or Justices, upon the Complaint of any such Servant, Artificer, Labourer, or Apprentice concerning the Nonpayment of his Wages, to summon such Steward, Agent, Bailiff, Foreman, or Manager to appear at Petty Sessions, and to hear and determine the Matter of the Complaint in such and the like Manner as Complaints of the like Nature against any Master or Employer are herein-before directed to be heard and determined, and thereupon to make an Order for the Payment by such Steward, Agent, Bailiff, Foreman, or Manager to such Servant, Artificer, Labourer, or Apprentice of so much Wages as to such Justice or Justices shall appear to be justly due, provided that the Sum claimed shall not exceed the Sum of Ten Pounds; and in case of Refusal or Nonpayment of any such Sum and Costs at such Time as shall be directed by such Justice or Justices, such Justice or Justices shall and may issue his or their Warrant to levy the same by Distress and Sale of the Goods and Chattels of such Master or Employer, rendering the Overplus to such Master or Employer, or to such Steward, Agent, Bailiff, Foreman, or Manager, for the Use of such Master or Employer, after Payment of the Charges of such Distress and Sale.

Justices may award further Sum to Servants, &c. as Compensation for Loss of Time in recovering Wages.

XXXVIII. And be it enacted, That whenever it shall appear to the Satisfaction of the Justice or Justices that any Servant, Artificer, or Labourer has been or is likely to be detained from his Home or usual Place of Residence, or has suffered or is likely to suffer any additional Loss by reason of the Nonpayment of any Wages which such Justice shall so adjudge to be due, it shall be lawful for such Justice or Justices to order that there shall be paid to such Servant, Artificer, or Labourer, not only the Sum so due for Wages as aforesaid, but also such further Sum for the Time during which such Servant, Artificer, or Labourer shall have been so detained from his usual Place of Residence, or for the Loss suffered or likely to be suffered, as such Justice or Justices shall think and adjudge to be reasonable, having regard to the Length of such Detention, the Diligence or Remissness of either Party, the usual Wages of such Servant, Artificer, or Labourer, and the Wages which within the Time of such Detention such Servant, Artificer, or Labourer did earn, or under all the Circumstances of the Case might have earned: Provided always, that such additional Sums or Sum so ordered shall not exceed the Sum of Two Pounds.

Labourers defined.

XXXIX. And be it enacted, That all Persons, whether Artificers or Servants, or otherwise, who shall be employed to do any Species of Work or Labour whatsoever for Hire, and whether

Master and Servant.

whether they shall find Materials for the Performance of the Contract or not, shall be deemed and taken to be Labourers within the true Intent and Meaning of the Provisions of this Act, and shall be entitled to recover Wages as such, under and according to the Regulations aforesaid.

The Hire of Horses, Carts, &c. to be recoverable in like Manner.

XL. And be it enacted, That all Sums which shall be due or payable for the Hire of any Horse, Ass, Mule, Bullock, or other Animal for Draught, or of any Cart, Dray, Car, Plough, Harrow, or Vehicle drawn by any such Animal for the Purpose of any labouring Work, (not being for the Carriage of any Passenger or Passengers,) or for the Hire of any Boat for the Purpose of any labouring Work (not being for the Carriage of any Passenger or Passengers), where the Demand, whether originally of greater Amount or not, and whether such Hire shall be by the Day or by Contract or otherwise, shall not exceed Ten Pounds, shall be recoverable in the same Manner and subject to the same Conditions and Limitations as are herein-before contained in respect to Wages.

Remuneration for Tuition to be recoverable in like Manner.

XLI. And be it enacted, That all Sums which shall be due or payable to any Schoolmaster or Teacher for the teaching of any Child in any School or otherwise, when the Demand, whether originally greater or not, shall not exceed Ten Pounds, and whether the Engagement shall be for a Payment by the Day or other Period, or in any other Manner, shall be recoverable from the Parent or Parents or from such other Person as shall have engaged such Teacher or Schoolmaster to teach such Child, in the same Manner and subject to the same Limitations and Conditions as are herein-before contained in respect to Wages.

Fairs and Markets.

Justices may make Awards as to Disputes at Sales in Fairs and Markets, where Value does not exceed 5*l.*

XLII. And be it enacted, That whenever any Dispute shall arise between any Buyer and Seller relating to the Terms of Sale, Delivery, Price, or Payment for any Article, Matter, or Thing which shall be exhibited for Sale in any Fair or Market, and which shall not be of a greater Value than Five Pounds, it shall be lawful for any Justice or Justices, within his or their Jurisdiction, to hear and determine such Dispute forthwith, upon the Complaint of either Party, and in Presence of both Parties, and, if necessary, to cause all Parties to be brought before him for that Purpose; and it shall be lawful for such Justice or Justices, having examined into the said Complaint upon the Oath of either of the Parties or of any Witness or Witnesses, to make an Award thereon according to the Merits of the Case, with Costs not exceeding Five Shillings, and such Award shall be in Writing, and shall have the like Force and Effect as any Order made by a Justice at Petty Sessions.

Justices may make Regulations as to Markets.

XLIII. And be it enacted, That it shall be lawful for the Town Commissioners acting under an Act of the Ninth Year of King *George* the Fourth, Chapter Eighty-two, and for the Commissioners acting under any other local or special Acts giving them like Powers in their respective Towns not being Corporate Towns, and for the Justices at Petty Sessions in other Market Towns, not being Corporate Towns, from Time to Time to make and vary from Time to Time such Regulations as they shall see fit for keeping or causing to be kept free and clear from Obstruction all Passages or Thoroughfares in and through the said Markets, and for keeping or causing to be kept all said Markets, and all Passages therein and thereto, clear and free from any Dirt or Nuisances of any Kind whatever, and for preventing all Indecencies being committed therein, provided that no such Regulations shall interfere with or impede the due Accommodation of Persons lawfully exposing Goods or Wares for Sale therein; and it shall be lawful for the said Town Commissioners or Justices to give due Notice of such Regulations, by causing the same to be painted on a Board, and affixed in some conspicuous Place in any such Market, in like Manner as Schedules of Tolls and Customs in Markets are now required by Law to be affixed; and if any Person shall offend against any of the said Regulations, by exhibiting Goods or Wares in any such Market in any Place other than that appointed for the Sale of the same, or by refusing to remove the same when required so to do, or by obstructing the Passages or Thoroughfares in and through such Market, by placing or leaving any Impediment of any Kind therein, or by leaving or causing to be left any Dirt or Nuisance of any Kind therein, or shall commit any Indecency in said Market or in the Passages thereto, he shall, on Conviction thereof before a Justice or Justices, pay a Fine for a First Offence not exceeding Five Shillings,

Fairs and Markets.

Shillings, and Costs not exceeding One Shilling, and for a Second Offence a Fine not exceeding Ten Shillings, and Costs not exceeding Two Shillings.

Persons obstructing, with Hackney Cars, Carts, &c., liable to a Fine.

XLIV. And be it enacted, That any Person who shall, within any City, Borough, or Market Town in *Ireland*, or within a Quarter of a Mile from the Boundary thereof, cause any Cart, Dray, Waggon, or other such Carriage, or any public or Hackney Car or Carriage, to stand in any public Road or Street longer than may be reasonable or necessary for loading or unloading, or for taking up or setting down Passengers, (except any Cart, Dray, Waggon, or other such Carriage lawfully standing in any Place customarily used for such Purpose in any public Market or Fair, and except any public or Hackney Car or Carriage standing for Hire in any Place allowed for such Purpose by any Order in Writing to be made by the Justices at the Petty Sessions of the District, and which Order such Justices are hereby empowered to make,) or any Person who shall within any such Place or Limits as aforesaid, except as herein-before excepted, by means of any such Carriage, wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any public Road or Street, shall, on Conviction thereof before a Justice or Justices, pay for every such Offence a Fine not exceeding Twenty Shillings.

Justices may appoint Stands for Cars.

Head Constable shall be Inspector of Weights and Measures.

XLV. And be it enacted, That such Head Constable or Constable in each Petty Sessions District as shall be selected by the County Inspector of Constabulary with the Approval of the Justices, shall henceforth be *ex officio* an Inspector of Weights and Measures within such District, and shall possess and exercise all the Powers and Authorities which any Inspector of Weights and Measures may possess or exercise under and by virtue of an Act passed in the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Sixty-three, and shall perform such Duties, under the Direction of the Justices at Petty Sessions, without Fee or Reward, and notwithstanding any manorial Jurisdiction or Claim of Jurisdiction within such District.

Grand Jury may provide Sub-Standard Weights and Measures.

XLVI. And be it enacted, That it shall be lawful for the Grand Jury of each County from Time to Time to procure so many Copies, in Iron or other sufficient Material, of the County Copies of the Imperial Weights and Measures as they shall see fit, and to direct that the same shall be duly stamped by any Inspector of Weights and Measures for such County, or by such Officer of the Constabulary as the said Grand Jury shall appoint for that Purpose, with the Approval of the said Inspector General, and that the same shall be deposited in the Custody of the said Head or other Constables, so as to enable them the more easily to discharge the Duties of Inspectors of Weights and Measures; and such Copies so to be procured shall be called the County Sub-Standard Weights and Measures, and shall, at least once in every Year, and also at any other Times when required by the County Inspector of Constabulary of the County or by the Justices at Petty Sessions, be compared with and corrected by the said County Standard Weights and Measures, by the said Inspector of Weights and Measures, or the said Officer of Constabulary so to be appointed as aforesaid, who shall adjust the same, and also affix the County Stamp thereto; and such Copies so adjusted and stamped shall, until the next Comparison of same, to be made in manner aforesaid, be considered to all Intents the same as the said County Standard Weights and Measures for all Purposes of Comparison and Verification, and for all other Purposes for which such County Standard Weights and Measures are required under the Provisions of the said recited Act, by any Inspector of Weights and Measures; and any Person who shall use said Copies for any other Purpose shall, upon Conviction thereof before any Justice or Justices of the County, be liable to a Fine not exceeding Five Pounds for every such Offence.

General Provisions.

Compensation awarded to be paid to Party aggrieved, except in certain Cases.

XLVII. And be it enacted, That in every Case where any Sum shall be awarded under the Provisions of this Act as Compensation for Damage, or as the Value of any Article, or as the Amount of any Injury done, such Sum shall in the Case of private Property be paid to the Party aggrieved, if known, and where the Party aggrieved is unknown, or in the Case of Property of a public Nature or wherein any public Right is concerned, such Sum shall be applied in such Manner as other Penalties imposed by a Justice shall by Law be applicable: Provided always, that where several Persons join in an Offence, and are severally punished each in the Amount of the Injury done, no more than One of such Sums shall be paid

paid to the Party aggrieved, and the rest shall be applied as other Penalties imposed by a Justice shall be by Law applicable. *General Provisions.*

Application of Fines.

XLVIII. And be it enacted, That in every Case where a Fine for an Offence shall be imposed under the Provisions of this Act, and no Sum shall be awarded to the Prosecutor by way of Compensation for Damages, it shall be lawful for the Justice or Justices before whom the Conviction shall take place, if he or they shall see fit, to award any Sum not exceeding One Third of such Fine to the Informer, and the Remainder of such Fine and all other Fines imposed under the Provisions of this Act shall be awarded to the Crown.

Persons aggrieved, Complainants, in all Cases, and Defendants in Wages Cases, competent Witnesses.

XLIX. And be it enacted, That in all Cases of Prosecutions for Offences under this Act the Evidence of the Party aggrieved shall be admissible in proof of the Offence; and in all Cases of Complaints on which a Justice or Justices can make an Order for the Payment of Money under this Act the Evidence of the Complainant shall be admissible in proof of his Complaint; and in Cases of Wages it shall be lawful for the Justice or Justices, and they are hereby empowered, to summon before him or them the Master or Employer as a Witness, and the Evidence of such Witness may, in the Discretion of the Justice or Justices, be admitted in proof against the Complaint.

The Justice may discharge the Offender in certain Cases.

L. And be it enacted, That where any Person shall be convicted before a Justice or Justices of the Peace of any Offence against this Act, and it shall be a First Conviction, it shall be lawful for the Justice or Justices, if he or they shall so think fit, to discharge the Offender from his Conviction, upon his making such Satisfaction to the Party aggrieved, for Damages and Costs or either of them, as shall be ascertained by the Justice or Justices.

Pardon for Nonpayment of Money.

LI. And be it enacted, That it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to extend the Royal Mercy to any Person imprisoned by virtue of this Act, although he shall be imprisoned for Nonpayment of Money to some Party other than the Crown.

All Complaints to be made within Six Months, except for Wages, &c. which may be made within 12 Months.

LII. And be it enacted, That in all Cases of summary Proceedings under the Provisions of this Act the Information may be laid or the Complaint may be made within Six Calendar Months from the Time when the Matter of such Information or Complaint arose, or, in case of Wages, Hire, or Tuition, within Twelve Months from the Termination of the Period when the Cause of Complaint shall have arisen, and not otherwise, any Act to the contrary notwithstanding.

In what Cases Appeals shall be permitted.

LIII. And be it enacted, That in any Case of summary Proceedings under this Act where an Order shall be made by any Justice or Justices for any Penalty or other Sum exceeding Forty Shillings, or for any Term of Imprisonment exceeding Two Months, or for the doing of anything at a greater Expense than Forty Shillings, but not in any other Case, the Party against whom such Order shall be made shall be entitled to appeal to the next Quarter Sessions to be held in the same Division of the County wherein the Order shall have been made, unless when the same shall commence within Three Days from the Date of the Order, in which Case, if the Appellant sees fit, it may be made to the next succeeding Quarter Sessions of such Division; and it shall be lawful for such Court of Quarter Sessions to hear and determine such Appeal.

Appeal only to next Quarter Sessions of the Division.

Notice to Clerk or Justice, and also to opposite Party, to be given within Three Days.

Recognizance to prosecute Appeal.

Amount of Recognizance.

LIV. And be it enacted, That in every such Case where a Party shall have a Right to appeal from any Order made under this Act he shall not exercise such Right unless he shall serve Notice of his Intention to appeal upon either the Clerk of the Petty Sessions or the Justice who shall have made such Order, and also upon the opposite Party, within Three Days from the Date of such Order, and unless he shall also enter into a Recognizance, with Two solvent Sureties, conditioned to prosecute such Appeal, and to pay such Sum and Costs, together with such other Costs as may be awarded against him upon such Appeal if the same be not decided in his Favour; and the Amount of such Recognizance shall be double the Amount of the Sum and Costs ordered to be paid, or double the Amount of a Sum calculated at the Rate of Ten Shillings for every Week of the Imprisonment, where Imprisonment only is ordered.

LV. And

General Provisions.

On Appeal being duly made, the Justice to discharge the Defendant.

LV. And be it enacted, That in any Case where a Party shall be in Custody, or shall have been committed to Gaol, or any Warrant of Distress shall have been issued or executed, under any such Order of a Justice or Justices, and being entitled to appeal shall have served the proper Notice and entered into the proper Recognizance to prosecute his Appeal, the Justice by whom the Warrant of Committal shall have been issued, or any other Justice of the same County, shall, upon an Application being made to him in that Behalf, forthwith order the Discharge of such Person from Custody or from Gaol, or that such Warrant of Distress shall not be executed, or that if executed the Distress shall be returned to the Owner, as the Case may be.

In case of Appeal the Period of Imprisonment to run from the Decision of the Appeal.

LVI. And be it enacted, That in any Case where any such Appeal as aforesaid against any Order to be made under the Provisions of this Act, by which any Person shall be adjudged to be imprisoned, shall be decided against such Person, he shall thereupon be liable to be imprisoned for the Period adjudged by the original Order, where he shall not have been apprehended and discharged in manner aforesaid, or where he shall have so been apprehended and discharged, then for such Period as, together with the Time during which he shall so have been in Custody, shall be equal to the Period adjudged by the original Order.

Offences may also be punished on Indictment.

LVII. And be it enacted, That any Person who shall commit any of the Offences hereinbefore mentioned, and now by Law punishable by Indictment, may, at the Discretion of the Justice or Justices, be proceeded against and punished for the same either upon Indictment or before a Justice or Justices upon summary Conviction; and in every Case where, under the Provisions of any other Act, the Commission of any of the said Offences a Second or subsequent Time shall be punishable upon Indictment for the same, such Second or subsequent Offence shall continue punishable in the same Manner as if this Act had not been passed.

No Order or Adjudication made on Appeal shall be quashed for Want of Form.

LVIII. And be it enacted, That no Order made under the Provisions of this Act, nor any Adjudication made on Appeal therefrom, shall be quashed for Want of Form, or be removed by Certiorari or otherwise into any of Her Majesty's Superior Courts of Record.

Interpretation Clause.

LIX. And be it enacted, That in the Interpretation of this Act, save where there is anything in the Subject or Context repugnant to such Construction, the Word "County" shall be deemed to include "County of a City" or "County of a Town;" the Word "Justice" shall mean "Justice of the Peace," and shall include a "Divisional Justice" of the Police District of *Dublin* Metropolis, or "Chief Magistrate" of any Corporate Town; the Word "Petty Sessions" shall include a "Divisional Police Office" of *Dublin* Metropolis; the Word "Gaol" shall include any "House of Correction" or "Bridewell" of the County to which any Person may be legally committed by any Justice; the Word "Oath" shall include "Affirmation" or "solemn Declaration," as the Case may be; the Word "Month" shall mean "Calendar Month;" the Word "Road" shall include "Highway" or other public Thoroughfare, and "Street" shall include any Lane or Passage in any Town; and the Word "Horse" shall include any other Animal of any Kind commonly used or employed in drawing any Kind of Carriage; Words denoting the Masculine Gender shall include Females as well as Males, and Words denoting the Singular Number shall include Two or more Persons or Things as well as One Person or Thing, and *vice versâ*.

Repeal of certain Acts.

LX. And be it enacted, That from and after the passing of this Act the several Acts and Parts of Acts herein-after mentioned shall be and the same are hereby repealed, together with all other Acts and Parts of Acts inconsistent with the Provisions of this Act, except so much of the said Acts as repeal any other Acts or Parts of Acts, and also except as to any Offence committed before the passing of this Act, or any Proceedings now pending to which the same or any of them are applicable; that is to say,

5 G. 2. c. 12.
11 G. 3. c. 7. s. 1.

An Act to prevent the throwing or firing of Squibs, Serpents, and other Fireworks:

So much of an Act passed in the Eleventh Year of King *George* the Third, intituled *An Act for punishing such Persons as shall do Injuries and Violence to the Persons or Properties of His Majesty's Subjects, with Intent to hinder the Exportation of Corn*, as relates to the Jurisdiction of Justices of the Peace as to summary Convictions:

An

An Act passed in the Twenty-seventh Year of the Reign of King *George* the Third, intituled *An Act for preventing the wilful Destruction of Turnpike Gates, and for the better securing the Payment of Tolls at such Gates:* 27 G. 3. c. 53.

So much of an Act passed in the Forty-ninth Year of the Reign of King *George* the Third, intituled *An Act for amending the* Irish *Road Acts*, as relates to the Mode in which Carriages and Persons shall pass each other on any public Road: 49 G. 3. c. 84. s. 30.

An Act passed in the Fiftieth Year of the Reign of King *George* the Third, intituled *An Act to repeal certain Parts of several Acts of the Parliament of* Ireland, *so far as relates to the limiting the Number of Persons to be carried by Stage Coaches or other Carriages, and for enacting other Limitations in lieu thereof, and for other Purposes relating thereto:* 50 G. 3. c. 32.

An Act passed in the Fifty-fourth Year of King *George* the Third, intituled *An Act to repeal the several Laws for Recovery of small Sums due for Wages in* Ireland, *and to make other Provisions for Recovery of such Wages:* 54 G. 3. c. 116.

An Act passed in the Fifty-eighth Year of King *George* the Third, intituled *An Act to prevent Frauds in the Sale of Grain in* Ireland: 58 G. 3. c. 82.

An Act passed in the Fourth Year of the Reign of King *George* the Fourth, intituled *An Act to enlarge the Powers of Justices in determining Complaints between Masters and Servants, and between Masters, Apprentices, Artificers, and others,* so far as relates to *Ireland:* 4 G. 4. c. 34.

So much of an Act passed in the Ninth Year of King *George* the Fourth, intituled *An Act for amending and consolidating the Laws in* Ireland *relative to Larceny, and other Offences connected therewith,* as relates to the Jurisdiction of Justices of the Peace as to summary Convictions: 9 G. 4. c. 55.

So much of an Act passed in the Ninth Year of King *George* the Fourth, intituled *An Act for consolidating the Laws in* Ireland *relative to malicious Injuries to Property,* as relates to the Jurisdiction of Justices of the Peace as to summary Convictions: 9 G. 4. c. 56.

So much of an Act passed in the Tenth Year of King *George* the Fourth, intituled *An Act for consolidating and amending the Statutes in* Ireland *relating to Offences against the Person,* as relates to the Jurisdiction of Justices of the Peace as to summary Convictions: 10 G. 4. c. 34.

An Act passed in the Fourth and Fifth Years of King *William* the Fourth, intituled *An Act to amend an Act passed in the Forty-ninth Year of the Reign of King* George *the Third, for amending the* Irish *Road Acts:* 4 & 5 W. 4. c. 50.

So much of an Act passed in the Sixth and Seventh Years of the Reign of King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in* Ireland, as relates to the summary Jurisdiction of Justices as to any of the Offences upon or relating to public Roads herein-before mentioned: 6 & 7 W. 4. c. 116.

So much of an Act passed in the Seventh and Eighth Years of the Reign of Her Majesty, intituled *An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of* Dublin, as relates to the summary Jurisdiction of Justices as to any of the Offences upon or relating to public Roads herein-before mentioned: 7 & 8 Vict. c. 106.

So much of an Act passed in the Eleventh and Twelfth Years of the Reign of Queen *Victoria,* intituled *An Act to amend the Law of Imprisonment for Debt in* Ireland, *and to improve the Remedies for the Recovery of Debts and of the Possession of Tenements situate in Cities and Towns in certain Cases,* as relates to the Recovery of the Possession of small Tenements: 11 & 12 Vict. c. 28.

An Act passed in the Eleventh and Twelfth Years of the Reign of Her Majesty, intituled *An Act for the more speedy Trial and Punishment of Juvenile Offenders in* Ireland: 11 & 12 Vict. c. 59.

An Act passed in the Seventh Year of Her Majesty, intituled *An Act to facilitate the Recovery by summary Process of small Sums due to the Teachers of Schools in* Ireland: 7 & 8 Vict. c. 8

An Act passed in the Twelfth Year of Her Majesty, intituled *An Act to amend an Act of the Fifty-fourth Year of King* George *the Third, for the Recovery of small Sums due for Wages in* Ireland: 12 & 13 Vict c. 15.

12 & 13 Vict. c. 30. An Act passed in the Twelfth and Thirteenth Years of Her Majesty, intituled *An Act for the better Preservation of Sheep, and more speedy Detection of Receivers of stolen Sheep, in* Ireland.

Act to take effect on the 1st Oct. 1850. LXI. And be it enacted, That this Act shall commence and take effect on the First Day of *October* in the Year of our Lord One thousand eight hundred and fifty.

Act to extend to Ireland only. LXII. And be it enacted, That this Act shall extend and be construed to extend to *Ireland* only, but shall not extend to the Police District of *Dublin* Metropolis in any Matter relating to Offences or Obstructions upon or relating to public Roads or Streets.

Short Title of Act. LXIII. And be it enacted, That in citing this Act in other Acts of Parliament, or in any legal Instrument or Proceedings, it shall be sufficient to use the Expression "The Summary Jurisdiction (*Ireland*) Act, 1850."

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

CAP. CIII.

An Act to authorize further Charges on "The *London Bridge* Approaches Fund" for the Completion of certain Improvements in the Metropolis.

[14th *August* 1850.]

'WHEREAS by an Act passed in the Tenth Year of the Reign of His late Majesty
10 G. 4. c. 136. 'King *George* the Fourth, intituled *An Act for improving the Approaches to* London
'Bridge, a Fund was created, called the Fund for improving the Approaches to *London*
'*Bridge*, consisting of certain Duties upon Coal imported into the Port of *London* forming
'Part of a Fund called the Orphans Fund, which Duties were thereby made payable for the
'Term of Twenty-one Years, to be computed from the Fifth Day of *July* One thousand
'eight hundred and thirty-seven, unless the Sums of Money charged thereon should be
'sooner paid off and discharged: And whereas by an Act passed in the Eleventh Year of
11 G. 4. c. 69. 'the Reign of His late Majesty King *George* the Fourth, intituled *An Act to make further*
'*Provision for defraying the Expenses of making the Approaches to* London Bridge *and the*
'*Removal of* Fleet Market, the Fund was increased by including therein certain Duties
'upon Wine imported into the Port of *London* or the Members thereof, by way of Mer-
'chandize, and also certain Fines on the Admission of Freemen and binding Apprentices,
'and also certain Aqueducts forming Part of the Property of the Mayor and Commonalty
'and Citizens of the City of *London*, and also the several annual Sums of Eight thousand
'Pounds, Two thousand Pounds, and One thousand five hundred Pounds charged on the
'Estates and Revenues of the said Mayor and Commonalty and Citizens, and the Fund so
'increased as aforesaid was made chargeable with the Sums charged and to be charged
'thereon by virtue of the said Acts, and all such several and respective Funds as were
'not permanent were continued until the Sums charged and to be charged thereon by
'virtue of the same Acts respectively should be paid off; and the said Mayor, Aldermen,
'and Commons were empowered to borrow and raise the further Sum of Two hundred and
'fifty thousand Pounds upon the Credit of the Fund created as aforesaid: And whereas
'by an Act passed in the First and Second Year of the Reign of Her present Majesty,
1 & 2 Vict. c. 100. 'intituled *An Act for improving the Site of the* Royal Exchange *in the City of* London, *and*
'*the Avenues adjoining thereto*, the said Mayor, Aldermen, and Commons were empowered
'for the Purposes of the said Act to borrow and raise the further Sum of One hundred and
'fifty thousand Pounds upon the Credit of the Fund created as aforesaid: And whereas
'by an Act passed in the Second and Third Year of the Reign of Her present Majesty,
2 & 3 Vict. c. 80. 'intituled *An Act to empower the Commissioners of Her Majesty's Woods, Forests, Land*
'*Revenues, Works, and Buildings to raise a Sum of Money for making additional Thorough-*

'*fares*