

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

***

the Reign of His preſent Majeſty, intituled, *An Act to enable Grand Juries to raiſe by Preſentment Money for diſcharging the Rents of Court Houſes, Gaols and Offices, for keeping the Records of the reſpective Counties, and for other Purpoſes*, as relates to the Gaols and Workhouſes or Houſes of Correction; an Act paſſed in the Seventeenth and Eighteenth Years of the Reign of His preſent Majeſty, intituled, *An Act for preſerving the Health of Priſoners in Gaol, and preventing the Gaol Diſtemper*; ſo much of an Act paſſed in the Twenty-firſt and Twenty-ſecond Years of the Reign of His preſent Majeſty, intituled, *An Act for reviving, continuing, and amending ſeveral temporary Statutes*, as relates to the Allowance of Bread to Priſoners; ſo much of an Act paſſed in the ſaid Year, intituled, *An Act for enforcing the due Execution of the Laws now in being, and for the better regulating the public Gaols and Priſons in this Kingdom, and providing neceſſary Accommodation for the Perſons confined therein, and for the more effectual Adminiſtration of Juſtice at Seſſions, and by Juſtices of the Peace in Cities and Counties of Cities within this Kingdom*, as relates to Gaols or Gaolers or any Preſentment for the ſame; ſo much of an Act paſſed in the Twenty-third and Twenty-fourth Years of the Reign of His preſent Majeſty, intituled, *An Act for altering, amending and rendering more effectual the Laws now in being for regulating and managing the public Gaols and Priſons throughout this Kingdom*, as relates to the building, repairing and regulating Gaols or to Gaolers; ſo much of an Act paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for making, widening and repairing public Roads in the County of* Dublin, *and for repealing Parts of ſeveral Acts formerly made for that Purpoſe*, as relates to any Preſentment for any of the Matters for which Preſentments are authorized by this Act; an Act paſſed in the ſaid Year, intituled, *An Act for amending and carrying more effectually into force the ſeveral Laws now in being for regulating the public Gaols and Priſons throughout this Kingdom*; ſo much of an Act paſſed in the ſaid Year, intituled, *An Act to enable the Grand Juries of the ſeveral Counties of Cities and Counties of Towns within this Kingdom, to grant ſuch Sums as ſhall be neceſſary for building and repairing Bridewells therein*, as relates to the building, repairing, or Government of Bridewells, or as to the Accommodations therein or to the Keepers thereof; ſo much of an Act paſſed in the Twenty-ſeventh Year of the Reign of His preſent Majeſty, to explain and amend the ſaid firſt-mentioned Act of the Twenty-ſixth Year of the Reign of His preſent Majeſty, as relates to any Priſons or Medicines for the ſame, or any Inſpectors, Phyſicians or other Officers thereof; an Act paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, intituled, *An Act for the better Regulation of the Marſhalſea of the Four Courts in* Dublin; ſo much of an Act paſſed in the ſaid Year, intituled, *An Act reſpecting the Collection of Publick Money to be levied in the County of the City of* Dublin *by Preſentment*, as relates to the repairing of Gaols, and the Salary of the Chaplain or Ordinary of the New Priſon in *Dublin*; and ſo much of an Act paſſed in the Thirty-ninth Year of the Reign of His preſent Majeſty, intituled, *An Act to promote the building of new Gaols*, as relates to the building of Gaols; all which ſaid Acts were paſſed in *Ireland*; and alſo ſo much of an Act paſſed in the Forty-ninth Year of His Majeſty's Reign, intituled, *An Act to alter and amend an Act of Parliament of* Ireland, *paſſed in the Thirty-third Year of His preſent Majeſty, intituled, 'An Act reſpecting the Collection of Public Money, to be 'levied in the County of the City of* Dublin *by Preſentment, and for the better 'Regulation of the Mode of Election and Office of Treaſurer of the Public 'Money*

49 G. 3. c. 20. (Loc. & Per.)

"*Money of the City of* Dublin," as relates to the Bills of Apothecaries for Medicines and Neceſſaries provided for Priſoners, or to any Preſentment for the ſame; ſhall be repealed: Save ſo far as the ſaid Acts or any of them repeal any former Act or Acts of Parliament, or any Clauſe, Matter or Thing therein; and alſo ſave and except as to any Proceeding for the Puniſhment of any Perſon or Perſons for or in reſpect of any Offence or Offences which ſhall before the Commencement of this Act have been committed againſt any One or more of the ſaid Acts; and alſo ſave and except that all and every Preſentment and Preſentments made by any Grand Jury, and all and every Appointment or Appointments of any Officer or Officers or other Perſon to perform any Duties under the ſaid recited Acts or any of them, and all and every Act and Deed or Acts and Deeds which on or before the ſaid Day ſhall have been lawfully made or done under or by virtue of any One or more of the ſaid Acts, ſhall ſtand and be of the ſame Force, Validity and Effect (unleſs herein expreſsly otherwiſe provided), as if this Act had not paſſed; and alſo ſave and except that all and every Medicines, Neceſſaries, Materials or Workmanſhip, which ſhall have been lawfully furniſhed or done under or by virtue of any One or more of the ſaid Acts, ſhall be paid for in the ſame Manner in all Reſpects as if this Act had not paſſed. Except as herein.

II. And be it enacted, That every Gaol, Bridewell, Houſe of Correction, Marſhalſea, Penitentiary Houſe, Sheriff's Priſon and other Priſons in *Ireland*, of what Nature or Kind ſoever the ſame ſhall be, ſhall conſiſt of Two ſeparate Parts, One for Male, and One for Female Priſoners, with a complete Diviſion between them ſo as to prevent any Intercourſe between the ſaid Male and Female Priſoners; and that to each of the ſaid Parts there ſhall be annexed and belonging a Yard of ſufficient Dimenſions to enable the ſaid Priſoners to have the Benefit of freſh Air and Exerciſe therein; and that in every ſuch Yard there ſhall be a Bath, and alſo a Neceſſary-houſe or Privy to which ſuch Priſoners reſpectively ſhall have free Acceſs at all Times, as far as the ſame can be conſiſtently with the ſafe keeping of ſuch Priſoners; and that there ſhall be in every ſuch Yard a good Water Pump; and that in every ſuch Priſon there ſhall be a Common Hall or Kitchen for Males and another for Females; and that in every County Gaol there ſhall at the Male Side be Two Yards provided as aforeſaid, One for Debtors and King's Evidence and the other for Priſoners accuſed of Crimes; and Three Common Halls, One for Debtors and King's Evidence, One for Perſons charged with Treaſon or Felony, and One for Perſons charged with or convicted of inferior Offences; and that the Apartments for the Priſoners in every ſuch Priſon ſhall be dry and airy, and ſhall if poſſible be ſo numerous as to afford a ſeparate Room or Cell for each Priſoner to ſleep in, and that in every ſuch Priſon there ſhall be One or more Room or Rooms, Cell or Cells, according to the Size of ſuch Priſon, fit for the Reception and ſolitary Confinement of Perſons of inſane Mind, or of outrageous Behaviour, as alſo a Chapel or Room appropriated for Religious Purpoſes, and One or more Infirmary or Infirmaries, or Room or Rooms for the Reception of Sick Priſoners, with ſuitable Rooms or Cloſets belonging thereto reſpectively; and alſo One or more Room or Rooms fit for and which ſhall be appropriated to the Exerciſe of Trades and Induſtry; and it ſhall not be lawful to build any Gaol or other Priſon in *Ireland* which ſhall not be on ſuch a Plan and of ſuch Dimenſions as to afford all and every the Accommodations and Advantages aforeſaid reſpectively. For providing diſtinct Apartments and Yards for different Claſſes of Priſoners, and other Accommodations.

III. And

Expences of building, &c. Marſhalſea of the Four Courts, and all Penitentiary Houſes in Ireland, and the Rent thereof to be paid out of the Conſolidated Fund of Ireland.

III. And be it enacted, That all and every the Expence of building, purchaſing, procuring, altering, enlarging, and repairing the Marſhalſea of the Four Courts in *Dublin*, and all and every Penitentiary Houſe or Houſes in *Ireland* ſhall be diſcharged, and all and every Rent payable for or in reſpect thereof, or of the Ground or Appurtenances thereof reſpectively, ſhall be paid out of the Conſolidated Fund of *Ireland*, and the ſaid Expences of all County Priſons, whether Gaols, Bridewells, Houſes of Correction, Sheriff's Priſons or otherwiſe, ſhall be defrayed by the reſpective Counties, Counties of Cities and Counties of Towns, by Preſentments on the ſaid Counties, Counties of Cities, or Counties of Towns, to be made by the Grand Juries thereof reſpectively; (to wit) in the County of *Dublin* and County of the City of *Dublin*, at the preſenting Terms, and in the other Counties, Counties of Cities, and Counties of Towns, at their reſpective Aſſizes, ſave as hereinafter particularly mentioned.

Expences of Gaols, &c. to be paid by Preſentments.

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

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

Lord Lieutenant to order the enlarging, repairing, &c. of the Marſhalſea, &c.

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

The like Expences for County Priſons to be paid by Preſentment on the Counties.

VI. And be it enacted, That it ſhall and may be lawful for the Grand Juries aforeſaid, at the Aſſizes and preſenting Terms reſpectively, and they are hereby required from Time to Time to enquire into the State of the Gaols, Bridewells, Houſes of Correction, and other Priſons of their reſpective Counties, Counties of Cities and Counties of Towns, and if they ſhall find them or any of them in want of Repair or deficient in any of the Accommodations or Advantages aforeſaid, they are hereby empowered and required to preſent ſuch Sum or Sums as ſhall be deemed neceſſary to remedy ſuch Deficiency, whether by enlarging or altering the ſame, or by providing a New Priſon in lieu thereof, or by building any new and additional Bridewell or Bridewells or Houſe or Houſes of Correction, or to effectuate ſuch Repair as may be neceſſary, and to contract and agree with any Perſon or Perſons for building, re-building, finiſhing, repairing, altering, or enlarging any Gaol, Bridewell, Houſe of Correction, or other Priſon as aforeſaid, or any

any Buildings or Conveniencies belonging thereto, at a certain Sum, Payment, or Allowance for the ſame, ſuch Contractor or Contractors giving ſufficient Security by Recognizance in double the Sum to be contracted for, and to be approved of by ſuch Grand Jury for the due Performance thereof, to the reſpective Clerks of the Peace for ſuch County, County of a City or County of a Town; and it ſhall be lawful for the Grand Jury at any Aſſizes or preſenting Term to preſent One or more Main or Mains or Pipes, of ſuch Bore or Bores as they ſhall think proper, to be laid in the moſt convenient Line to convey Water to any ſuch Gaol or other Priſon whenever they ſhall find it poſſible and deem it expedient ſo to do, and ſhall have the Conſent of the Owner or Owners of the Water ſo to be conveyed, and accordingly at all Times to convey Water through the ſame, and to preſent ſuch Sum or Sums as ſhall be neceſſary for the Purpoſe, and alſo to preſent at each Spring Aſſizes or Eaſter Term a reaſonable Sum to be raiſed upon the County, County of a City or County of a Town, and paid as a Rent for the Uſe of the Water to be ſo conveyed, if the ſame ſhall be demanded: Provided always, that if any Perſon or Perſons ſhall think they may be injured by the paſſing of ſuch Pipes or Watercourſes through their Lands, they may at the ſaid Term or Aſſizes or at the Term or Aſſizes immediately following, enter in open Court a Traverſe to the ſaid Preſentment, and the Jury trying ſuch Traverſe ſhall true Verdict give, whether any and what Damage will ariſe to the Perſon or Perſons ſo traverſing, and the Verdict ſo found ſhall be concluſive to the Party or Parties, and either in the ſame or the next ſucceeding Term or Aſſizes the Grand Jury of the ſaid County, County of a City or County of a Town, may preſent ſuch Sum ſo found, to be raiſed upon the County at large and paid to ſuch Traverſer or Traverſers, and upon the Sum ſo found being paid or tendered, it ſhall be lawful for the Overſeers or Perſons employed by them, to proceed to cauſe the ſaid Main or Pipe to be laid or Watercourſe to be made; and if any Perſon or Perſons ſhall at any Time obſtruct the Overſeers or the Perſon or Perſons employed in laying ſuch Main or Pipe or making ſuch Watercourſe, and ſhall be convicted thereof before any One Juſtice of the Peace for the ſaid County, County of a City or County of a Town, either upon Confeſſion of the Party accuſed or upon the Oath of One credible Witneſs, every ſuch Perſon ſhall for any ſuch Offence forfeit the Sum of Five Pounds, to be paid to the Treaſurer of the County, County of a City or County of a Town, to be by him placed to the Credit of the County, County of a City or County of a Town, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending, upon the Warrant of the Juſtice of the Peace before whom Complaint ſhall be made.

Pipes to be laid down.

VII. And, the better to preſerve ſuch Pipe, Main or Watercourſe when laid or made; be it enacted, That if any Perſon or Perſons ſhall wilfully deſtroy or injure any Part of the ſaid Pipe or Main or Watercourſe, or of any Pipe, Main, or Watercourſe, through which Water ſhall be conveyed to any Priſon in *Ireland*, or to any of the Yards or Buildings thereto belonging, ſo as to prevent the Water from regularly and fully flowing to the ſame, or ſhall inſert any Cock or Pipe into any Part of ſuch Main, or make any Cut to divert the Water thereof to any other Purpoſe, and ſhall upon Indictment be convicted thereof, he or they ſhall be committed to the County Gaol, and ſhall therein remain in cloſe Confinement for One Year, or until he or ſhe ſhall

Penalty on damaging Pipes.

pay a Sum of Fifty Pounds, One Half thereof to the Treaſurer of the County, to be by him placed to the Credit of the County, and the other Half to the Perſon or Perſons who ſhall diſcover and cauſe the ſaid Offender or Offenders to be convicted.

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

VIII. Provided always, and be it enacted and declared, That nothing in this Act ſhall extend to authorize any ſuch Grand Jury or Grand Juries, and that it ſhall not be lawful for any Grand Jury to begin to build or rebuild any ſuch Gaol, Bridewell, Houſe of Correction, or any other Priſon, until the Plan and Scite thereof, and alſo the Contract or Contracts upon which the ſame is propoſed to be built or rebuilt, ſhall have been previouſly agreed to and approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and that it ſhall not be lawful for the Grand Jury to vary or depart from the Plan ſo agreed to and approved.

Bridewells under this Act taken as County Bridewells, as under former Acts.

IX. And be it enacted, That all Bridewells which ſhall be built, repaired, purchaſed, or taken at a Rent under this Act ſhall be deemed and taken to be County Bridewells to all Intents and Purpoſes, as if built under the Proviſions of any of the Acts hereby entirely or in Part repealed.

How Gaols ſhall be repaired in caſe of Accidents.

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

Preſentment for Rent of Gaols, &c.

XI. And be it enacted, That in every County, County of a City, or County of a Town, in which a certain Rent is or ſhall be payable for the Gaol, Bridewell, Houſe of Correction, or other Priſon of ſuch County, County of a City, or County of a Town, or any Part thereof, or any of the Appurtenances thereof, the Grand Juries of ſuch Counties, Counties of Cities, or Counties of Towns reſpectively, at their Aſſizes or preſenting Term ſhall preſent yearly ſuch Rents to be raiſed upon their reſpective

tive Counties, Counties of Cities, or Counties of Towns; and the Money ſo preſented and confirmed as aforeſaid, ſhall be raiſed and paid to ſuch Perſons to whom ſuch Rents are or ſhall be reſpectively payable, without any Deduction whatſoever.

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

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

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

XIII. And, for the more ſpeedy Completion of any ſuch Work, be it enacted, That as ſoon as ſuch Preſentment ſhall be made, or at any Time or Times after the making of ſuch Preſentment, and before the Completion of ſuch Work, it ſhall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, if he or they ſhall think proper ſo to do, to cauſe to be advanced out of the Conſolidated Fund to the Treaſurer of ſuch County, County of a City, or County of a Town, on the Faith of ſuch Preſentment, the whole of the Sum ſo preſented, or ſo much thereof as ſhall not have been raiſed or received at the Time of ſuch Advance, or any Part, Share, or Proportion thereof; ſuch Sum or Sums to be applied by ſuch Treaſurer to the Purpoſes of ſuch Preſentment, in the ſame Manner in all Reſpects as if the ſame had been raiſed by or under the ſame, and to be repaid by ſuch Treaſurer for the Time being to the Collector of Exciſe of the Diſtrict, but without Intereſt, out of ſuch Inſtalment or Inſtalments as may be ſpecified at the Time of advancing the ſame, a Certificate whereof ſhall be given without Stamp by ſuch Treaſurer at the Time of receiving ſuch Money; and that if any Perſon or Perſons ſhall at any Time think proper to advance any ſuch Sum or Sums on the ſaid Terms, then and in every ſuch Caſe ſuch Treaſurer for the Time being ſhall give to every Perſon ſo making ſuch Advance, a Certificate of ſuch Advance without any Stamp, ſtating therein out of what yearly or Half-yearly Inſtalment or Inſtalments, and in what Proportions, if in more than One Inſtalment, the ſame is to be repaid; and the ſame ſhall be ſo repaid accordingly by ſuch Treaſurer for the Time being, to ſuch Perſon, his Executors or Adminiſtrators.

Appointment of Commiſſioners of Works.

XIV. And be it enacted, That when any Preſentment ſhall be made for building, enlarging, or altering any Gaol, Bridewell, Houſe of Correction, or other Priſon as aforeſaid, it ſhall and may be lawful for the Grand Jury making ſuch Preſentment, to appoint not leſs than Six nor more than Twelve Perſons to be Commiſſioners for cauſing the ſaid Preſentment to be carried into Execution and Effect; and if they ſhall not do ſo, or if any of the Perſons ſo appointed ſhall die, or ſhall ceaſe to act as ſuch Commiſſioner before ſuch Work ſhall be compleated, then and in every ſuch Caſe

it

it shall and may be lawful for any succeeding Grand Jury to appoint such Commissioners, or to complete the Number thereof, as the Case may require, or to add to the same, but so as that there shall not at any one Time be more than Twelve such Commissioners; and any Three or more of such Commissioners shall be in all Cases competent to do any Act which the Whole of the said Commissioners could or might lawfully do.

Grand Juries to make Contracts.

XV. And be it further enacted, That the said Commissioners after such Presentment made as aforesaid shall give Notice of such Presentment having been made Three Times at least in some public Newspaper circulating in or near the County, County of a City, or County of a Town, of their Intention of contracting with any Person or Persons for building, rebuilding, repairing, finishing, altering, or enlarging any such Gaol, Bridewell, House of Correction, or other Prison, or for the laying such Main or Pipe to such Gaol, Bridewell, House of Correction, or other Prison as aforesaid, or for doing any Part or Parts of any such Work; and every such Contract or Contracts shall be made at the most reasonable Price or Prices which shall be proposed by such Contractor or Contractors, as shall be deemed by the said Commissioners the most proper and responsible Persons to carry such Contract or Contracts into Execution respectively; and all Contract or Contracts when agreed upon and confirmed by the Lord Lieutenant in manner aforesaid, shall be entered by the Clerk to the said Commissioners, in a Book to be kept by the said Commissioners, which Book, when such Works are compleated, shall by the said Clerk to the Commissioners be delivered to the respective Clerks of the Peace for the Time being, who are hereby required to keep the same among the Records of the County, County of a City, or County of a Town, to be from Time to Time inspected at all reasonable Times by any Grand Jurors in their respective Counties, Counties of Cities, or Counties of Towns, or by any Person or Persons employed or to be employed by or on Behalf of any such County, County of a City, or County of a Town, without Fee or Reward.

To rent or purchase Houses, Grounds, &c. adjoining, to enlarge, &c.

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

Persons interested may sell.

XVII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic and Corporate, Trustees, Guardians of Infants, Committees of Lunatics, or Idiots, Femes Covert with their Husbands, and all other Persons whatsoever, who are or shall be seised or possessed of, interested in, or entitled unto any Estate or Interest in any manner whatsoever in the Grounds, Houses, Tenements, Edifices, Erections, or Buildings, which by the said Grand Juries respectively shall be thought necessary to be rented or purchased, for any of the Purposes of this Act, by Deeds

Deeds indented and inrolled, to demiſe, ſell and convey all or any ſuch Grounds, Houſes, Tenements, Edifices, Erections, or Buildings, or any Part thereof, and all the reſpective Eſtates and Intereſts therein, to the ſaid Commiſſioners and their Heirs and Succeſſors; and that all Contracts, Agreements, Bargains, Sales, and Conveyances which ſhall be ſo made by ſuch Perſons as aforeſaid, ſhall be good and valid in the Law to all Intents and Purpoſes whatſoever; and that ſuch Commiſſioners and their Heirs and Succeſſors ſhall be Truſtees of all ſuch Houſes, Lands, Tenements, and Hereditaments, as ſhall be conveyed to or veſted in them, under or by virtue of this Act, for the Purpoſes herein provided, and no other.

Jury to be ſummoned if Refuſal made of ſelling, &c.

XVIII. And be it further enacted, That if any Body or Bodies Politic or Corporate, or other Perſon or Perſons having or claiming to have any Eſtate, Title, Term, or Intereſt in or to ſuch Grounds, Houſes, Tenements, Edifices, Erections, or Buildings as aforeſaid, or any Charge, Lien, or Incumbrance thereon, ſhall refuſe to agree with the ſaid Grand Juries reſpectively, for the Sale and Conveyance of their reſpective Rights, Terms and Intereſts therein, or ſhall not produce or evince a clear Title to ſuch Eſtate, Rights, Titles, Terms, or Intereſts as they ſhall or may ſo claim, or if the ſaid Grand Juries reſpectively ſhall be ignorant who are entitled to the ſame, then and in every or any ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners or any Three or more of them, and they are hereby empowered and authorized from Time to Time to iſſue a Warrant or Warrants, Precept or Precepts, to the Sheriff of the County, County of a City, or County of a Town, who is hereby authorized, directed and required accordingly to empannel, ſummon, and return a competent Number of ſubſtantial Perſons, qualified to ſerve on Juries not leſs than Sixty, out of which Perſons ſo to be empannelled, ſummoned, and returned, a Jury of Twelve Perſons ſhall be drawn, by ſome Perſon to be by the ſaid Commiſſioners or any Three or more of them appointed, in ſuch manner as Juries for the Trials of Iſſues joined in His Majeſty's Four Courts at *Dublin*, by an Act made in *Ireland* in the Twenty-ninth Year of His late Majeſty King *George* the Second, intituled, *An Act for the better regulating Juries*, are directed to be drawn, which Perſons ſo to be empannelled, ſummoned, and returned as aforeſaid, are hereby required to come and appear before the ſaid Commiſſioners, or any Three or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed, and to attend the ſaid Commiſſioners, or any Three or more of them, till diſcharged by them; and all Perſons concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array.

Jurymen may be challenged, but not the Array.

On Default of Twelve Jurors, others ſummoned.

XIX. And be it further enacted, That in all Caſes of Trials by Juries before the ſaid Commiſſioners, or any Three or more of them, where a full Jury ſhall not appear before them, or where after the Appearance of a full Jury it ſhall ſo happen, either by Means of Challenges or otherwiſe, that there ſhall be a Default of Twelve Jurors for ſuch Trial, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, to command the Sheriff of the County, County of a City or County of a Town, to empannel ſo many other Perſons as ſhall make up a full Jury of Twelve Men, which Perſons ſo to be empannelled ſhall be added to the former Pannel; and all Parties intereſted in ſuch Trials ſhall have their Challenges to the Jurors ſo added to the former Pannel as if they had been originally

Liberty of calling Witneſſes.

originally ſummoned; and the ſaid Commiſſioners, or any Three or more of them, are hereby authorized and empowered by Precept or Precepts, from Time to Time, as Occaſion ſhall require, to call before them all and every Perſon and Perſons whatſoever who ſhall be thought proper or neceſſary to be examined as a Witneſs or Witneſſes before them, on their Oath or Oaths, touching or concerning the Premiſes; and the ſaid Commiſſioners, or any Three or more of them, if they ſhall think fit, ſhall and may likewiſe authorize and require the ſaid Jury to view the ſaid Grounds, Houſes, Tenements or Buildings intended to be valued or purchaſed; and the ſaid Commiſſioners, or any Three or more of them, ſhall have Power to adjourn ſuch Meeting from Day to Day and Place to Place, as Occaſion ſhall require, and to command ſuch Jury, Witneſſes and Parties to attend, until the Buſineſs for which they ſhall be ſo ſummoned by virtue of this Act ſhall be concluded; and the ſaid Jury ſhall upon their Oaths (which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Commiſſioners, or any Three or more of them, are hereby required and empowered to adminiſter) fairly, truly and impartially enquire of the Value of ſuch Grounds, Houſes, Tenements, and Buildings, and of the reſpective Eſtate, Right, Title, Term, and Intereſt of every Perſon or Perſons ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof, and ſhall aſſeſs or award the Sum or Sums to be paid to every ſuch Perſon or Perſons for the Purchaſe of ſuch their reſpective Eſtates, Rights, Titles, Terms and Intereſts, and ſhall alſo enquire, aſcertain and find all and all Manner of Charges and Incumbrances and Liens thereon, and the Amount of the Sum or Sums due thereon reſpectively, and what Eſtate and Eſtates therein are ſubject to any ſuch Liens or Charge; and the ſaid Commiſſioners, or any Three or more of them, ſhall and may give Judgment for ſuch Sum and Sums ſo to be aſſeſſed as and for the Value of the ſaid ſeveral Eſtates in the ſaid Lands, Tenements and Hereditaments, and for the Payment thereof reſpectively in Manner herein-after mentioned; which ſaid Verdict or Verdicts, and the ſaid Judgment, Decree or Determination thereupon (Notice in Writing being firſt given to the Perſon or Perſons intereſted, at leaſt Fourteen Days before the Time of the Firſt Meeting of the ſaid Jury, declaring the Time and Place of ſuch Meeting of the Commiſſioners and Jury, by leaving ſuch Notice at the Dwelling Houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, or with ſome Tenant or Occupier of the Houſes, Buildings or Ground intended to be valued or aſſeſſed, in caſe ſuch Party ſhall not be known or cannot be found in the County, County of a City or County of a Town, and alſo in the *Dublin Gazette*) ſhall be binding and concluſive to all Intents and Purpoſes whatſoever, againſt all Bodies Politic or Corporate, Infants, Lunatics, Idiots, Femes Covert, and Perſons under any legal Diſability, and againſt all and every Perſon and Perſons whatſoever, his, her, or their Heirs, Succeſſors, Executors, and Adminiſtrators having or claiming to have or claim any Eſtate, Right, Truſt, Uſe, or Intereſt in, to, or out of the ſaid Grounds, Houſes, Tenements, Buildings and Premiſes, either in Poſſeſſion or Reverſion, Remainder or Expectancy, or in any Manner whatſoever, or any Charge, Lien, or Incumbrance thereon; which ſaid Verdicts, Judgments, and Decrees, and all other Proceedings of the ſaid Commiſſioners, and ſuch Judgments to be made, given and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned and ſealed by the major Part of the ſaid Commiſſioners who were preſent and pronounced ſuch Judgments and Decrees; and all Verdicts of the ſaid Juries, and all

Commiſſioners may authorize Jury to view Grounds, &c.

Power of Adjournment;

Notice to be given.

Judgments to be written on Parchment.

Proceedings to be regiſtered.

Judgments, Decrees, Orders and other Proceedings of the ſaid Commiſſioners, ſhall be entered in the Rolls Office of His Majeſty's High Court of Chancery in *Ireland*, and the ſame or true Copies thereof ſhall be deemed and taken to be good Evidence thereof in any Court of Law or Equity whatſoever.

Conveyance to be made on Payment.

XX. And be it further enacted, That upon Payment of ſuch Sum and Sums of Money ſo to be awarded and adjudged as follows; (that is to ſay) Firſt, in or towards the Payment and Diſcharge of the Sums due on the ſaid Charges, Incumbrances and Liens, if any ſo found, to affect the ſeveral Eſtates therein reſpectively, and then to the Owners of the ſaid Eſtates reſpectively, if any ſhall remain for that Purpoſe, that the Perſon or Perſons who ſhall be ſo found and adjudged to be the Owners of the ſaid ſeveral Eſtates of and in the ſaid Grounds, Houſes, Tenements, or Buildings reſpectively, and alſo the Owners of the ſaid Incumbrances, Charges and Liens reſpectively, ſhall make and execute or procure to be made and executed to the ſaid Commiſſioners and their Heirs and Succeſſors a good and ſufficient Conveyance or Conveyances, thereby granting, releaſing, or aſſigning to them the ſaid Grounds, Houſes, Tenements or Buildings, and all ſuch Eſtate, Right, Title, Term, or Intereſt therein, or Charge, Incumbrance or Lien thereon ſo awarded as aforeſaid; and in caſe ſuch Perſon or Perſons ſhall not be able to evince his, her or their Title to the Premiſes, or to any ſuch Charge, Incumbrance or Lien thereon, or make or procure to be made ſuch valid and legal Conveyance or Conveyances thereof, or ſhall refuſe ſo to do being thereunto required, and ſuch Sum or Sums ſo aſſeſſed and awarded as aforeſaid, being tendered to be paid in Manner aforeſaid, on their making ſuch Title and executing or procuring to be executed ſuch Conveyance or Conveyances as aforeſaid, or in caſe ſuch Perſon or Perſons cannot be found in the ſaid County, or in caſe, by Reaſon of Diſputes or Differences or for Defect of Evidence, it ſhall not appear to the ſaid Commiſſioners or Jury what Perſon or Perſons is or are entitled to the Premiſes in Queſtion, or to any Charge, Incumbrance or Lien thereon, or whether any Charge, Incumbrance, or Lien appearing to them by the Regiſtry or otherwiſe to have exiſted, remains either in the whole or in Part in force or undiſcharged, then and in every ſuch Caſe as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them to pay into and depoſit in the Bank of *Ireland*, with the Privity of the Accountant General of the Court of Chancery of *Ireland*, the Sum or Sums ſo aſſeſſed or awarded as the Value of and Purchaſe Money for the ſaid Grounds, Houſes, Tenements and Buildings, or any particular Eſtate or Intereſt therein; and the ſaid Court of Chancery is hereby empowered in a ſummary Way, upon the ſeveral Petitions of the reſpective Parties, to hear, judge of and determine, as well by Examination, of Witneſſes upon Oath as by all Ways and Means which the ſaid Court ſhall think proper, the ſeveral Rights, Claims and Demands of all Perſons intereſted in or unto the ſeveral Grounds, Houſes, Tenements and Buildings which ſhall be ſo valued and of which the Price ſhall be ſo paid into the ſaid Bank, and alſo of all Perſons having or claiming to have any Charge, Incumbrance or Lien thereon as aforeſaid, and to aſcertain and make Orders for the Payment unto ſuch Perſon and Perſons reſpectively, according to their ſeveral Intereſts, Eſtates and Claims aforeſaid, as the ſaid Court of Chancery ſhall judge fit, without any Deduction for Poundage, which Orders in ſuch Caſe ſhall be final and concluſive upon all Perſons and

When Titles not clear, &c. Purchaſe Money may be lodged in the Bank of Ireland.

Court of Chancery to determine Claims.

and Bodies whatſoever; and immediately upon ſuch Payments and Entry of ſuch Verdicts of the ſaid Juries, and Judgments, Sentences, and Decrees, Orders and other Proceedings of the ſaid Commiſſioners as aforeſaid, the ſaid Grounds, Houſes, Tenements, Buildings and Premiſes ſhall veſt in the ſaid Commiſſioners and their Heirs, and they ſhall be deemed in Law to be in the actual Seiſin and Poſſeſſion thereof to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes in Poſſeſſion, Remainder, Reverſion, or Expectancy, or any Charge, Incumbrance or Lien thereon, was of full Age and of ſound Mind and Memory, and had actually and duly conveyed the ſame to the ſaid Truſtees by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seiſin, Fine and Recovery, or by any other legal Conveyance whatſoever.

Femes Covert ſeized in Fee Simple, &c.

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

Proviſo.

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

Conveyance inrolled Six Months after making effectually.

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

Tenant at Will, &c. to deliver up Poſſeſſion as herein.

XXIV. And be it further enacted, That every Tenant at Will or Leſſee for a Year or from Year to Year only, in Poſſeſſion of any ſuch Grounds, Houſes, or Buildings, or any Part thereof, which ſhall be purchaſed as aforeſaid, ſhall deliver up the Poſſeſſion of ſuch Premiſes immediately to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any Three or more of them, ſhall appoint to take Poſſeſſion of

the ſame, in caſe the ſaid Commiſſioners, or any Three of them, or ſuch Perſon authorized by them, ſhall pay or tender to him, her or them, Six Months Rent of the ſaid Premiſes, at the Rate payable by ſuch Tenant for his entire Holding, or in Caſe the ſaid Commiſſioners, or any Three or more of them, ſhall give him, her, or them Six Months Notice to quit ſuch Poſſeſſion of ſuch Part, in the ſame Manner as the Landlord of ſuch Tenant might give him Notice to quit Poſſeſſion of the entire Holding, then ſuch Perſon or Perſons in Poſſeſſion, ſhall at the End of the ſaid Six Months, at whatever Time of the Year the ſame ſhall be, or as ſoon after as he or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Commiſſioners, or to any other Perſon or Perſons authorized by the ſaid Commiſſioners, or any Three or more of them to take Poſſeſſion thereof; and that in caſe any ſuch Perſon or Perſons in Poſſeſſion as aforeſaid ſhall refuſe to give up Poſſeſſion as aforeſaid, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them as aforeſaid, to iſſue their Precept or Precepts to the Sheriff or Sheriffs of the County, County of a City, or County of a Town, in which ſuch Tenements ſhall be, commanding him or them by virtue of this Act to deliver Poſſeſſion of the ſaid Premiſes to ſuch Perſon as ſhall in ſuch Precept or Precepts be nominated to receive the ſame, and the ſaid Sheriff or Sheriffs are hereby required to deliver ſuch Poſſeſſion of the ſaid Premiſes accordingly.

Coſts, &c. to be paid by Commiſſioners.

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

Fine on Sheriff, &c. making Default as herein.

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

Commiſſioners to appoint a Clerk.

XXVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Three or more of them, at any Time or Times hereafter, under their Hands and Seals, to nominate and appoint ſuch Perſon to be and act as their Clerk as they ſhall think fit, for ſuch Matters as may be neceſſary to be done in the Execution of the Powers and Authorities hereby given to the ſaid Commiſſioners, provided that no ſuch Clerk ſhall at any Time be a Commiſſioner under this Act, and that ſuch Clerk ſhall from Time to Time be removable, and may be removed at the Will and Pleaſure of the ſaid Commiſſioners, or any Three or more of them, by Inſtrument in Writing under their Hands and Seals; and that the ſaid Commiſſioners, or any Three or more of them, ſhall and may make ſuch Allowance or Salary unto ſuch Clerk for his Care and Pains in the Execution of his ſaid Office or Offices out of the Money ſo preſented, as the ſaid Commiſſioners, or any Three or more of them, ſhall think reaſonable, not exceeding in any One Year Thirty Pounds: Provided always, that as ſoon as the Building or other Work for which ſuch Commiſſioners ſhall have been ſo appointed as aforeſaid ſhall be completed, and the Accounts of the ſame finally paſſed, then and in every ſuch Caſe the Office, Appointments and Powers of the ſaid Commiſſioners and of ſuch Clerks ſhall ceaſe and determine.

Sums to be paid in advance to Commiſſioners,

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

Commiſſioners to account.

XXIX. And be it further enacted, That ſuch Commiſſioners ſhall, at every enſuing Aſſizes or Term as aforeſaid, lay before the Grand Jury and the Court a juſt and fair Account in Writing of all and every Expenditure and Expenditures of ſuch Money ſo to be advanced to them, and the particular Purpoſes for which the ſame was expended, and the Quantities and Price of each Material bought therewith; and ſuch Account ſhall be verified by Affidavit in Writing at the Foot thereof, to be made in open Court by One of the ſaid Commiſſioners, and ſhall ſtate that the whole of the Money was ſo expended for the ſole Purpoſe of executing the Work ſo preſented purſuant to the Preſentment thereof; and when any ſuch Work ſhall be finiſhed, and the Accounts of the ſaid Commiſſioners approved of and paſſed by the Grand Jury and the Court, it ſhall be ordered that

all such Recognizances so entered into shall be vacated on the last Day of the next Assizes or Term, and they shall be vacated accordingly, unless upon some sufficient Complaint laid before the Court or the Grand Jury sufficient Cause shall appear to induce the Court to make an Order to the contrary; and provided if there be any Balance unexpended, a Certificate of the Treasurer of the County, County of a City, or County of a Town, shall be laid before the Grand Jury and the Court, setting forth that he had received the said Balance and applied it to the Credit of the County, County of a City, or County of a Town.

Commissioners to raise Gravel.

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

Prisoners to be removed to new Gaols when built.

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

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

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

of them, or by any Three Juſtices of the Peace of ſuch County, then it ſhall be lawful for the ſaid Sheriff to remove thither all ſuch Priſoners as ſhall be then in his Cuſtody, and may lawfully be confined and be impriſoned therein; and the Expence of ſuch Removal or Removals in any of the Caſes aforeſaid, and any Expence the ſaid Sheriff ſhall be put to, for, or by means of the ſafe Cuſtody of the ſaid Priſoners or any of them in ſuch Gaol, Bridewell, Houſe of Correction or other Priſon, to which they may have been removed for any of the temporary Purpoſes aforeſaid, ſhall be allowed and paid by ſuch County, County of a City, or County of a Town; and any ſuch Removal or Removals ſhall not be deemed or taken to be an Eſcape.

Gaols built, or Additions thereto, to be deemed belonging to the County wherein ſituated.

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

When new Gaols are built, old ones to be ſold.

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

How Commiſſioners ſhall act where Land has been given for the Site of any old Gaol without any regular Conveyance of Title, or where Deeds or Conveyances have been loſt, &c.

XXXV. And be it enacted, That whenever it ſhall appear that Land has been given for the Site of any old Gaol, Bridewell, Houſe of Correction or other Priſon, without regular Conveyance of Title, or that the Deeds of Conveyance have been loſt or deſtroyed, or that by the Deceaſe of Truſtees or the Heirs of the ſurviving Truſtee, or from any other Cauſe, no Perſon exiſts qualified to convey the legal Title to ſuch old Gaol, Bridewell, Houſe of Correction or other Priſon, to any Purchaſer, then and in ſuch Caſe if the Gaol or Premiſes to be ſold as aforeſaid have been uſed as a Gaol for at leaſt Seven Years, the Commiſſioners appointed according to this Act for the Purchaſe of a new Site for a Gaol, Bridewell, Houſe of Correction, or other Priſon, ſhall be deemed and are hereby conſtituted legal Owners of the old Gaol, Bridewell, Houſe of Correction, or other Priſon, in Fee or Fee Tail, or for ſuch Term or Time as the ſame was originally granted for; and if no ſuch Grant is known to have exiſted, then in Fee Simple, upon Truſt however to contract with a Purchaſer and ſell the ſame, and execute all Deeds and Conveyances neceſſary for that Purpoſe, and give a ſufficient Receipt for the Purchaſe Money: Provided always, that ſuch old Gaol, Bridewell, Houſe of Correction or other Priſon, ſhall be ſold to the beſt Bidder, after having been advertiſed for that Purpoſe in the *Dublin Gazette* or ſome other *Dublin* Newſpaper for Three Months at leaſt before the Terms of Sale ſhall be accepted, which Advertiſements the Treaſurer of the County, County of a City, or County of a Town, ſhall cauſe to be inſerted and paid for, and for which he ſhall be repaid with lawful Intereſt, together with all Coſts and Charges, out of the firſt Monies produced by ſuch Sale; and after deducting ſuch Money, and alſo the Expence attending the Sale, the Money produced thereby ſhall be applied to the Purchaſe of the new Site and to building the new Gaol, Bridewell, Houſe of Correction or other Priſon.

Gaols of Two Counties to be preſented for either together or ſeparately.

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

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

XXXVII. And be it enacted, That whenever an Order ſhall be iſſued in Manner aforeſaid to the Board of Works for the building or enlarging of the Marſhalſea of the Four Courts, or any Penitentiary Houſe or Houſes as aforeſaid, it ſhall and may be lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, by Warrant under Hand and Seal, to appoint any Number of Perſons not leſs than Six, nor more than Twelve, to be Commiſſioners for the Purpoſe of directing and ſuperintending ſuch Work, and to fill up from Time to Time in like Manner, all Vacancies that ſhall occur amongſt the ſaid Commiſſioners by Death, Reſignation or otherwiſe; and that the ſaid Commiſſioners ſo appointed ſhall have all and every the like Powers in all Reſpects as to making Purchaſes, empannelling Juries, pronouncing

Judgments, and all and every other the Matters and Things aforesaid; and all Things done by them or any other Person or Persons or Court, in pursuance of or under and in Obedience to their said Powers, shall be of the like Force, Validity and Effect in all Respects whatsoever, as concerning the Commissioners appointed by the said Grand Juries, or any Proceedings by or before them, is herein-before enacted.

Judges may order Removal of Prisoners in Marshalsea Courts.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for the Court of King's Bench in Term Time, and to and for any Judge of the said Court in Vacation, either on the finishing of a new Marshalsea of the Four Courts, or on Occasion of or for the Purpose of repairing such Prison; or on Occasion of any infectious Disorder or sudden Accident, or on or for any other Reason, Purpose or Occasion of a like Nature in any Respect, which such Court or Judge shall deem to be sufficient, to order that the Prisoners in such Marshalsea or any One or more of them, shall be removed to any other Prison specified in such Order, there to remain until discharged by due Course of Law, or until removed therefrom by another Order of the like Nature, or remanded to the said Marshalsea; and any such Removal shall not be deemed to be an Escape.

Penalty on taking any Fee for Appointment of Gaoler.

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

Salary to Gaolers.

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

any other Act or Acts of Parliament, or by any lawful Authority whatsoever, for the Regulation of such Prison, or for the Conduct of the Keepers thereof.

Keepers of Prisons to be provided with Copies of the Act.

XLI. And be it enacted, That every Keeper of any Gaol, Bridewell, House of Correction or other Prison in *Ireland*, shall be and is hereby required to provide himself with One or more printed Copy or Copies of this present Act, and to keep and have the same at all Times ready to produce for the Inspection of any Magistrate or Magistrates, or other Person or Persons legally appointed, who shall at any Time visit or inspect such Gaol, Bridewell, House of Correction or other Prison, or enquire into the Conduct of such Keeper, under a Penalty of Five Pounds, to be recovered by Civil Bill by any Person who shall inform thereof.

Inspectors appointed.

XLII. And be it enacted, That it shall and may be lawful for each and every Grand Jury of every County, County of a City and County of a Town in *Ireland*, with the Consent and Approbation of the Court or Judge at each Assizes and Presenting Term, to appoint an Inspector of Prisons for such County respectively, and also of every Bridewell, Sheriff's Prison, Marshalsea or House of Correction within any County of a City or of a Town (except as is herein-after excepted); and every such Inspector shall be required to observe the several Regulations herein-after mentioned, and to see the same carried into Effect: Provided always, that in making any such Appointment as aforesaid by the Grand Juries, the Minister or Curate of the Parish in which the County Gaol shall be situated, shall be preferred, if such Clergyman will accept such Appointment, and that there does not appear on Examination into the same any just or reasonable Objection to such Clergyman; and provided also, that in case of Refusal on the Part of such Clergyman as aforesaid, a Physician or Surgeon resident in the Town or Parish in which such Gaol or other Prison shall be situate respectively, shall be then preferred; and if such Surgeon or Physician shall also refuse to accept the said Office of Inspector, or shall be found unfit for the same, or if it shall appear that the Clergyman, Physician or Surgeon aforesaid, after having accepted the said Office, shall at any Time neglect to execute or fulfil the Duties thereof, it shall and may be lawful to appoint any other fit and discreet Person, residing within One Mile of such Gaol or other Prison respectively, to be such Inspector as aforesaid in Manner aforesaid respectively.

To whom preference shall be given.

Salary to Inspector.

XLIII. And be it enacted, That it shall and may be lawful for all Grand Juries in *Ireland*, at any Assizes or Presenting Term respectively, after such Appointment, to present a reasonable Sum to be paid to every such County or other Inspector appointed as aforesaid, as a Recompence for the Care and Attendance necessary in the Execution of the several Duties of such Offices respectively; provided it shall appear to them that such Inspector has duly and regularly executed the several Duties of his Office; which Sum or Sums the said Inspector shall be entitled to receive exclusive of any other Salary or Allowance which may be granted to him as Chaplain, Physician, Surgeon, or Medical Assistant for visiting and attending the Prisoners confined in any of the Prisons of such County, County of a City or County of a Town.

Clerk of the Crown to make Return

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

of Priſoners to the Inſpectors.

Delivery, in every County, County of a City and County of a Town in *Ireland*, and at every Special Commiſſion therein, and at every Quarter Seſſions, Term or Seſſion of the Commiſſion of Oyer and Terminer for the County of the City of *Dublin*, and the Clerk of the Peace is alſo hereby required to furniſh the Inſpector of Priſons for the Time being of the ſaid County, County of a City and County of a Town, with a complete Schedule of the ſeveral Priſoners brought to Trial at each Aſſizes and General Gaol Delivery, and at each Special Commiſſion, and at each and every Term or Commiſſion of the County of *Dublin* or the County of the City of *Dublin* reſpectively, and at each and every Quarter Seſſions, ſpecifying the particular Crime of which each Priſoner was accuſed, and ſtating the Sentence of the Judge on each Trial, and whether the ſaid ſeveral Sentences have been executed, or whether the Whole or any Part or Parts of them have been remitted; and the ſeveral Inſpectors of Priſons are hereby required to report and tranſmit the ſame in Manner herein-after directed.

Appointment of an Inſpector General;

His Duty.

XLV. And be it enacted, That it ſhall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to appoint a fit and proper Perſon to be Inſpector General of Priſons in *Ireland*, removable however at the Will and Pleaſure of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; which Inſpector General of Priſons ſhall viſit every Priſon in *Ireland* once at leaſt in every Two Years, or oftener, if he ſhall think neceſſary, and alſo ſhall give his Advice and Aſſiſtance in chooſing proper Plans and Situations where new Gaols and other Places of Confinement are to be erected, and ſhall report in Writing to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, his Opinion as to the proper Scite and Plan of every new Priſon, and ſhall point out any Additions, Alterations, or Improvements which he may deem requiſite to be made in any of the Gaols or other Places of Confinement, for the Preſervation of the Health of the Priſoners, and for the ſafe Cuſtody of the ſame; and that he ſhall alſo receive Reports from the Inſpectors of Gaols in the different Counties in *Ireland*, and ſhall alſo arrange and digeſt the ſame, or ſo much as ſhall have been duly tranſmitted to him, and annually tranſmit a full and accurate State and Account thereof to the Chief Secretary of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, or in his Abſence to the Under Secretary for the Civil Department, and alſo to the Office of the Chief Secretary of the Lord Lieutenant, in *London*, in order that the ſame ſhall be laid before both Houſes of Parliament in each and every Seſſion of Parliament, and likewiſe a ſeparate Report of ſuch Priſons as he ſhall have viſited in Perſon, from the Time of his next preceding Report reſpectively up to that Period; and in caſe any of the ſaid Inſpectors ſhall neglect to tranſmit their Reports to the Inſpector General as herein directed, the ſaid Inſpector General ſhall ſtate the Names of ſuch Inſpectors who may have been guilty of ſuch Neglect, in his ſaid ſeveral Reports, and ſhall alſo report the Names of ſuch Inſpectors ſo neglecting, to the Court of King's Bench in *Dublin*; and it ſhall be lawful for the ſaid Court to impoſe a Fine on any ſuch Inſpector ſo neglecting, not exceeding the Sum of Ten Pounds: And any ſuch Inſpector General of Priſons ſhall receive ſuch Salary as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* ſhall appoint, not exceeding Five hundred Pounds by the Year, as a Remuneration for his own Time and Trouble, and ſhall alſo provide a fit and proper Clerk, and a fit and

Salary.

proper Office in the City of *Dublin*, at which ſuch Clerk ſhall conſtantly attend, and ſuch Inſpector ſhall receive a further yearly Sum not exceeding One hundred and fifty Pounds, to enable him to defray the Expence of providing ſuch Clerk and Office, and ſhall alſo receive a further yearly Sum not exceeding Two hundred Pounds for his travelling Expences in each Year; all which Sums ſhall be paid out of the Conſolidated Fund of *Ireland*, by order of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or his or their Chief Secretary for the Time being.

To viſit Mad Houſes, &c.

XLVI. And be it enacted, That the ſaid Inſpector General of Priſons ſhall have Power and he is hereby required to viſit and inſpect, as often as he ſhall think fit, all Mad Houſes and Places where Idiots or Lunatics are confined, whether the ſame be any public Eſtabliſhment, or kept for Profit by any private Individual, as well as all Gaols and Priſons throughout *Ireland*; and if any Perſon or Perſons ſhall hinder, moleſt or prevent ſuch Inſpector General from viſiting and inſpecting any of the ſaid Places of Confinement, ſuch Perſon or Perſons being duly convicted thereof upon Oath before any One Magiſtrate or Juſtice of Peace in the County where ſuch Hindrance has been made, ſhall for every ſuch Offence be fined in any Sum not exceeding Fifty Pounds, at the Diſcretion of ſuch Magiſtrate, and thereupon ſuch Perſon ſo convicted ſhall, by the Warrant of ſuch Magiſtrate, be impriſoned in the common Gaol of the County for Six Calendar Months, unleſs ſuch Fine be ſooner paid.

Appointment of Chaplains to County Gaols.

XLVII. And be it enacted, That it ſhall and may be lawful for each and every Grand Jury in *Ireland*, and they are hereby required, at any Aſſizes or Preſenting Term, to appoint a proper and diſcreet Perſon, being duly ordained in the Holy Orders and of the Eſtabliſhed Church, to be Chaplain of the ſeveral Gaols, Bridewells, Houſes of Correction or other Priſons of and in their reſpective Counties, Counties of Cities and Counties of Towns; and it ſhall and may be lawful for every ſuch Grand Jury, if they ſhall be ſo required by the Court, alſo to appoint a proper and diſcreet Perſon, being a Proteſtant Diſſenting Miniſter, to be Proteſtant Diſſenting Chaplain thereof; and alſo if they ſhall be ſo required by the Court, to appoint a Prieſt or Clergyman of the Roman Catholick Church to be Roman Catholick Chaplain thereof: Provided always, that every Perſon ſo appointed ſhall be approved of by the Court.

Duty of Chaplains.

XLVIII. And be it further enacted, That every ſuch Chaplain ſhall read Prayers in the ſaid Gaols, Bridewells, Houſes of Correction or other Priſons reſpectively for which he ſhall be appointed, on every *Sunday* in the Year; to wit, the Proteſtant Chaplain of the Eſtabliſhed Church to ſuch of the Priſoners as ſhall be Proteſtants of the Eſtabliſhed Church, and the Proteſtant Diſſenting Miniſter to ſuch of the Priſoners as ſhall be Proteſtant Diſſenters, and the Roman Catholick Chaplain to ſuch of the Priſoners as ſhall be Roman Catholicks; and that every ſuch Chaplain ſhall likewiſe viſit each of the ſaid Priſons Twice at leaſt in every Week, excluſive of his Attendance on *Sunday*, that on ſuch Viſits he ſhall go into every Room and Cell in the Priſon wherein any Priſoner ſo within his Charge ſhall be confined, and converſe with and exhort ſuch of the ſaid Priſoners reſpectively as are willing to liſten to his Admonitions; and that each of the ſaid Chaplains ſhall attend every Malefactor in their reſpective Priſons who ſhall be within

his Charge as aforeſaid, or who may deſire his Aſſiſtance previous to and at the Time of his Execution, in order to adminiſter to ſuch Priſoner or Priſoners the Functions of his Holy Office; and that every ſuch Chaplain ſhall in Manner herein-after mentioned, inſpect in his Turn the Bread or other Proviſions provided for any Priſoner of whatſoever Religion, and take Care that the ſame is or are of good and wholeſome Quality and of ſufficient Weight.

Salaries to Chaplains.

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

Phyſicians, and Surgeons.

L. And be it enacted, That it ſhall and may be lawful for each and every Grand Jury of every County, County of a City or County of a Town in *Ireland*, at any Aſſizes or Preſenting Term, to appoint a regularly bred Phyſician and alſo a regularly bred Surgeon to the Gaols, Houſes of Correction, Marſhalſeas and other Publick Priſons within ſuch County, County of a City or County of a Town, except as is herein-after excepted: Provided always, that any Phyſician and Surgeon ſo to be appointed ſhall be approved of by the Court.

Their Duty.

LI. And be it further enacted, That every ſuch Phyſician and Surgeon ſhall and he is hereby required to viſit every Priſon within his Appointment Twice at leaſt in every Week, and oftener if neceſſary, and to preſcribe for all Priſoners confined therein, according to his reſpective Department, ſuch Medicines and Suſtenance as may appear to him conducive to their Recovery.

Payment.

LII. And be it enacted, That it ſhall be lawful for every ſuch Grand Jury at every Aſſizes and Preſenting Term in each Year after ſuch Appointment, to preſent a reaſonable Sum to every ſuch Phyſician and Surgeon as a Recompence for ſuch Attendance.

Not to be paid unleſs Duties performed.

LIII. And be it enacted, That it ſhall not be lawful for the Grand Jury aforeſaid to make ſuch Preſentments, unleſs ſaid Phyſician and Surgeon reſpectively ſhall appear to have duly fulfilled the ſeveral Duties of his Office.

Phyſicians and Surgeons to make Returns to Inſpectors.

LIV. And be it further enacted, That the ſaid Phyſician and Surgeon ſhall once in every Week make a regular Return of the State of Health of the ſeveral Perſons under their Care reſpectively, to the Inſpector of his Priſon or Diſtrict, if he ſhall not be himſelf the Inſpector, and ſhall diſtinctly ſpecify therein the Names of the ſeveral Perſons ſick in ſaid Priſons, and their Diſeaſes

Diſeaſes reſpectively: Provided always, that nothing herein contained ſhall extend to prevent the ſame Perſon from executing the Offices of Inſpector and Chaplain, or of Inſpector and Phyſician, or Inſpector and Surgeon, or Phyſician and Surgeon, if he ſhall be qualified ſo to do.

Appointing Apothecaries.

LV. And be it enacted, That it ſhall and may be lawful for each and every Grand Jury reſpectively as aforeſaid, and they are hereby required, at every Aſſizes and Preſenting Term, to appoint an Apothecary to the Gaols, Bridewells, Houſes of Correction, or other Priſons, within their reſpective Counties, Counties of Cities or Counties of Towns; and it ſhall be the Duty of every ſuch Apothecary to attend the Phyſician or Surgeon reſpectively, if any ſuch be appointed, in their Viſits to the ſaid Priſons reſpectively, and to execute every neceſſary Order of the ſaid Phyſician and Surgeon reſpectively touching the ſame: Provided always, that every ſuch Apothecary ſhall be approved of by the Court.

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

LVI. And be it enacted, That each and every of the ſaid Grand Juries ſhall and may preſent ſuch Sum or Sums of Money as ſhall be juſtly due for ſuch Medicines and other Articles for the Sick as ſhall be ordered by the Phyſician or Surgeon attending ſuch Priſons reſpectively, and which the Apothecary to ſaid Priſons ſhall make appear by his Affidavit to have been duly furniſhed according to ſuch Preſcriptions, in which Affidavit the ſaid Apothecary ſhall ſwear that he had faithfully and honeſtly expended in the Purchaſe of ſuch Medicines and other Articles the Sums therein reſpectively charged for the ſame, and that ſuch Medicines and other Articles were of the beſt Quality, and were charged at the uſual Prices at which Medicines and Articles of the ſame Quality were charged within the Town or Place where the ſame were ſo furniſhed reſpectively, and that the ſame were ordered by the Phyſician or Surgeon attending ſuch Perſon before they were ſupplied; or if ſuch Medicines or Articles ſhall have been ſupplied in Caſes of Emergency by ſuch Apothecary without the previous Order of ſuch Phyſician or Surgeon, ſuch Apothecary ſhall produce a Certificate of ſuch Phyſician or Surgeon that ſuch Medicines or Articles were fit and proper to be ſo ſupplied; but no Charge ſhall be allowed in any ſuch Preſentment for the Attendance of ſuch Apothecary or of any Perſon acting as ſuch.

Accounts to be taxed by the Governor and Directors of Apothecaries Hall.

LVII. And be it further enacted, That the ſaid ſeveral Grand Juries or the Court, if the ſame ſhall appear to them proper, may reſpectively order ſuch Account to be laid before the Governor and Directors of Apothecaries Hall, to be taxed by the ſaid Governor and Directors, which they are hereby authorized and required to do, and to make their Preſentment for Medicines as aforeſaid, ſubject to ſuch Reduction in the Amount thereof as ſhall or may be made on ſuch Taxation; and that the ſaid Grand Juries reſpectively ſhall have Power to preſent for the Expence to be incurred by ſuch Examination.

Preſentments for Apothecaries to be one for Medicines and one for Neceſſaries.

LVIII. And be it further enacted, That each and every of the ſaid Apothecaries ſhall bring forward at each Aſſizes and Preſenting Term Two ſeparate and diſtinct Preſentments, One for Medicines and the other for other Articles for the Sick, ſtating fully and particularly the different Articles comprized under each Head; and it ſhall and may be lawful for the Grand Jury at each Aſſizes and Preſenting Term to preſent a reaſonable Sum to be paid

to every such Apothecary, as a Compensation for his Trouble in providing the said Articles for the said Persons respectively, and advancing his own Money for that Purpose.

Grand Juries may appoint the same Person to be Surgeon and Apothecary.

LIX. And be it enacted, That it shall and may be lawful for any Grand Jury to appoint the same Person to be Surgeon and Apothecary to any Gaol, Bridewell, House of Correction, Marshalsea, or other publick Prison, and in such Case such Surgeon and Apothecary shall be paid for his Attendance as a Surgeon, and for his Medicines as an Apothecary, in Manner herein-before directed with respect to Surgeons and Apothecaries respectively: Provided always, that in case any Grand Jury shall not think it necessary to appoint a Physician to any Gaol, Bridewell, House of Correction, Marshalsea or other publick Prison, the Apothecary or the Person so appointed Surgeon and Apothecary, instead of swearing that the Medicines and other Articles for the Sick supplied by him were ordered by the Physician, or producing the Certificate of the Physician in Manner herein-before mentioned, shall swear that all such Medicines and Necessaries were actually requisite for the Prisoners, and were actually and *bonâ fide* supplied by such Apothecary, or Surgeon and Apothecary, as the Case may be: Provided also, that no Person who shall be so appointed to be Surgeon and Apothecary shall be capable of being appointed a Physician or an Inspector under this Act.

Appointment of Inspectors, Chaplains, &c. of Dublin Marshalsea, &c. by Lord Lieutenant.

LX. And be it enacted, That in and for the Marshalsea of the Four Courts of *Dublin*, and all and every Penitentiary House or Houses in *Ireland*, the Expence whereof shall be defrayed out of the Consolidated Fund of *Ireland*, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to appoint all Inspectors, Chaplains, Physicians, Surgeons and Apothecaries respectively requisite for such Marshalsea and Penitentiary Houses; and such Inspectors, Chaplains, Physicians, Surgeons and Apothecaries shall be paid such Salaries, and in such Manner as such Lord Lieutenant or other Chief Governor or Governors shall think fit to direct: Provided also, that all Medicines and other Articles for the Sick which shall be furnished to any of the Poor Prisoners in the Marshalsea of the Four Courts, or in any Penitentiary House respectively, shall, on being vouched as aforesaid to the Collector of Excise of the District, and also taxed as aforesaid, be paid for by him, together with the Expence of such Taxation, out of any publick Money in his Hands, Twice in every Year; to wit, in *March* and *September*, down to and for the First Day of each of the said Months respectively.

For Supply of Vacancies of Inspector, &c.

LXI. Provided always, and be it enacted, That if any of the said Offices of Inspector, Chaplain, Physician, Surgeon and Apothecary, on the Appointment of the Grand Jury, shall become vacant between Two Assizes or Presenting Terms respectively, then and in every such Case it shall and may be lawful for the High Sheriff or Sheriffs of the County, to appoint a new Officer to fill such Vacancy respectively; and such new Officer so appointed shall hold and exercise the said Office until a new Appointment shall be made thereto as aforesaid, as fully and effectually in all Respects, and with all the same Rights, Powers, and Advantages, as if he had been duly appointed thereto as aforesaid.

Court of King's Bench or Judges of Aſſize may remove Inſpectors, etc. for Neglect, etc.

LXII. And be it enacted, That if it ſhall appear to the Court of King's Bench that any of the ſaid County Inſpectors, Chaplains, Phyſicians, Surgeons or Apothecaries in any Part of *Ireland*, or to the Judges of Aſſize in their reſpective Counties in *Ireland*, that any of the ſaid Officers in and for ſuch County has been guilty of Miſconduct in his ſaid Office, or of Neglect of the Duties thereof, then and in every ſuch Caſe it ſhall and may be lawful for ſuch Court or Judge by a ſummary Order to remove ſuch Officer from his ſaid Office; and every ſuch Officer while he ſhall hold ſuch Office ſhall be decreed, deemed and conſidered in reſpect thereof as an Officer of the ſaid Court of King's Bench and of ſuch Aſſizes Court reſpectively, and ſubject to the Orders thereof reſpectively as ſuch.

Inſpectors to overſee the providing Food for Priſoners.

LXIII. And be it enacted, That it ſhall be lawful for the Inſpector of every Gaol, Bridewell, Houſe of Correction, or other Priſon in *Ireland*, and he is hereby required to inſpect, overſee, and regulate the procuring and providing of Bread, Meal, Potatoes, or ſuch other Food as he ſhall judge moſt proper, to the Value of not leſs than Five-pence *per* Day, for every Perſon confined for any Offence under his Inſpection, who ſhall ſtand in need of ſuch Aſſiſtance, and to cauſe the ſame to be regularly diſtributed among the ſaid Priſoners, Four Times in every Week, to wit, on *Sundays*, *Mondays*, *Wedneſdays*, and *Fridays*, in preſence of ſaid Inſpector, or One of the Chaplains, and alſo of the Keeper of ſuch Priſon; and the Grand Juries of the ſeveral Counties in *Ireland* are hereby empowered and required to make ſuch Preſentments in Advance to any Perſon or Perſons (not being a Grand Juror, nor being an Inſpector, Chaplain, Phyſician, Surgeon or Apothecary under this Act, nor being the Keeper of any Priſon) who ſhall be willing to contract with ſuch Grand Jury for the Supply of ſuch Bread, Meal, Potatoes or Food as ſuch Grand Jury may deem neceſſary to provide for the ſame, and if ſuch ſhall by any Means not be made or being made ſhall be found inſufficient, then to preſent ſuch Sums as ſhall appear to have been neceſſarily expended for ſuch Purpoſe, either without ſuch Preſentment or over and above the Amount thereof, and the Sums ſo preſented ſhall be paid over in Manner herein-after mentioned: Provided always, that the Inſpector and the Chaplain or Chaplains ſhall divide the Duty of diſtributing ſaid Allowance equally between them by alternate Weeks in Rotation, and the Certificate of any of them, together with that of the Keeper of the Priſon, ſhall be a ſufficient Warrant to the Treaſurer of the County for the Payment of ſuch Sum or Sums as may be expended in procuring ſaid Food, to any Perſon or Perſons who ſhall have contracted with the Grand Jury as aforeſaid, or to any Perſon or Perſons (not being a Grand Juror, nor being an Inſpector, Chaplain, Phyſician, Surgeon or Apothecary under this Act, nor being the Keeper of any Priſon) who ſhall or may have contracted with any Inſpector for the Supply of ſuch Bread, Meal, Potatoes or Food, or who may have ſupplied the ſame under the Orders of ſuch Inſpector.

For defraying Expences for Straw, &c.

LXIV. And be it enacted, That it ſhall be lawful for the Grand Jury at each Aſſizes and Preſenting Term reſpectively in *Ireland*, to preſent on the reſpective Counties, Counties of Cities, and Counties of Towns, all ſuch Sums as to them ſhall appear by Affidavit to have been neceſſarily expended for Straw for the Priſoners entitled to an Allowance of Bread as aforeſaid in any Gaol, Bridewell, Houſe of Correction or other Priſon within their reſpective Counties, Counties of Cities, and Counties of Towns, or any ne-

ceſſary petty Expences attending the Priſon, as alſo to preſent in Advance ſuch Sum as they ſhall think neceſſary for the ſaid Purpoſes or any of them; and that to enable the ſaid Grand Juries to preſent proper Sums for thoſe Purpoſes, there ſhall be laid before the Grand Jury by the Keeper of every Gaol, Bridewell, Houſe of Correction or other Priſon in *Ireland*, at each Aſſizes and Preſenting Term, a Calendar of his Priſon ſince the laſt Aſſizes or Preſenting Term, with the Date of the Committal and Diſcharge of each Perſon.

For Fuel, &c.

LXV. And be it enacted, That it ſhall and may be lawful for the ſeveral Grand Juries at every Aſſizes and Preſenting Term, to preſent ſuch Sum or Sums of Money as may be requiſite for the Purpoſes of providing Fuel, Priſon Dreſſes, Iron Bedſteads, Bed Tickens to be filled with Straw, Blankets and Bed Cloaths, for all Priſoners who ſhall be confined in any Gaol, Bridewell, Houſe of Correction or other Priſon within their reſpective Counties, Counties of Cities and Counties of Towns, and ſhall ſtand in need of ſuch Aſſiſtance; and that the ſeveral Sums before-mentioned to be preſented for the Purpoſes of providing Fuel, Priſon Dreſſes, Iron Bedſteads, Bed Tickens and Blankets, Bed Cloaths and Straw for Priſoners as aforeſaid, ſhall be paid into the Hands of any Perſon or Perſons (not being a Grand Juror, nor being an Inſpector, Chaplain, Phyſician, Surgeon, or Apothecary under this Act, nor being the Keeper of any Priſon) who ſhall or may have contracted with any Inſpector of any ſuch Gaol, Bridewell, Houſe of Correction or other Priſon for the Supply of ſuch Fuel and other Matters reſpectively, or who may have ſupplied the ſame under the Orders of ſuch Inſpector.

Monies for ſuch Purpoſes to be paid to Contractors.

Contractors, &c. to account on Oath.

LXVI. And be it enacted, That all and every Sum and Sums of Money which ſhall be preſented by any Grand Jury for Bread or other Neceſſaries, or for any other of the Purpoſes herein-before mentioned, ſhall be accounted for on Oath in open Court by the Perſons making ſuch Contract with the Grand Jury or with the Inſpectors, or ſupplying Articles under the Orders of ſuch Inſpectors, and by the Certificate of the different Inſpectors and Chaplains reſpectively.

Penalty on Grand Jurors, Inſpectors, &c. being concerned in Contracts for Food.

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

LXVIII. Provided

LXVIII. Provided always and be it enacted, That all Bread and other Provisions, Straw, Prison Dresses, Bedsteads, Bed-tickens, Blankets, and Bed Clothes, which shall be so distributed in the Marshalsea of the Four Courts or any Penitentiary House, and also all Bread, Provisions, Dresses, or Clothes, Medicines and other Necessaries which shall be so furnished as aforesaid to any Convict under Sentence of Transportation, or pardoned or respited from Death on Condition of Transportation, who shall be removed out of the County in which he was convicted, shall and may be paid for by the Collector of Excise of the District, out of any publick Money in his Hands; and that such Collector of Excise shall also out of such Money advance to any Person or Persons (not being a Grand Juror, nor being an Inspector, Chaplain, Physician, Surgeon, or Apothecary under this Act, nor being the Keeper of any Prison) who shall or may have contracted with any Inspector of any such Marshalsea or Penitentiary House for the Supply of such Provisions or other Matters respectively, or who may have supplied the same under the Orders of such Inspectors, such Sums for the said Purposes or any of them, as such Inspectors shall, by Affidavit to be made before any Justice of the Peace for the County, state to be reasonable and necessary for such Purpose. Expences to be paid by Collector of Excise, and advanced by him to Inspectors, &c.

LXIX. And be it enacted, That the following Rules and Regulations shall be strictly observed and carried into Force and Effect in every Gaol, House of Correction, Marshalsea, Bridewell, Penitentiary House, Sheriff's Prison and other Prison throughout *Ireland*; that is to say: First, That it shall not be lawful for any Woman to be Keeper thereof: Second, That every Gaoler or other Keeper of a Prison shall reside in his Prison, and that he shall not be an Under Sheriff or a Bailiff, or a Baker or a Brewer, nor shall he sell Wine, Beer, Ale, or Spirituous Liquors of any Sort to Prisoners or others, nor shall he hold any Office or Employment, or carry on any Business whatsoever that may require his Attendance in any other Place: Third, That no Tap shall be kept in any Prison without a Special Order of the Court of King's Bench in *Ireland* for that Purpose: Fourth, That no Person under the Authority or Appointment of the Keeper shall directly or indirectly sell to the Prisoners or any of them, any Malt or Spirituous Liquors, or any Manner of Provisions whatsoever: Fifthly, That in all Prisons wherein any Persons shall be confined for any Offence, the Person or Persons whose Duty it shall be to deliver out Bread or other Provisions to such Prisoners, or One of the said Persons, together with the Keeper of the Prison, shall attend for that Purpose Four Days in each Week, to wit, on *Sundays*, *Mondays*, *Wednesdays*, and *Fridays*, and shall take Care that the same is properly distributed according to the Wants of the Prisoners, and that it is of a good Quality and proper Weight, and that it is not more than Twenty-four Hours since any Bread which may be so distributed had been baked; and such Person or Persons shall not suffer the Prisoners to commute the said Allowance by receiving the Value thereof in Money, or in any other Manner whatsoever: Sixth, That every Room in every Prison in *Ireland* shall be daily scraped and wept, and shall be washed Once in every Week from the First Day of *April* to the First Day of *October*, and Once in every Month for the Residue of the Year, unless the contrary shall in any Instance be expressly directed in Writing by the Physician or Surgeon, and that Three Times at least in every Year the inside of each of the Rooms, Cells, Halls, Passages and Places of every Description in the Prison shall be white-washed; *videlicet*, Once in the Month Rules and Regulations for the Management of the several Prisons.

of *April*, Once in the Month of *July*, and Once in the Month of *October*, and that ſufficient Priſon Dreſſes, Bedſteads, Tickens for Beds and Blankets, be provided for ſuch Priſoners as ſhall be in Want thereof; and alſo that a conſtant Fire ſhall be kept up in the Common Halls of every Priſon for Ten Hours in every Day, from the Firſt Day of *October* to the Firſt Day of *April*, to wit, from the Hour of Ten in the Morning to the Hour of Eight in the Afternoon, and for Five Hours in every Day for the Reſidue of the Year; to wit, from the Hour of Twelve at Noon to the Hour of Five in the Afternoon reſpectively, and that every Priſoner ſhall be ſupplied with freſh Straw Once in every Month: Seventh, That the Priſoners who ſhall be ſick ſhall be ſeparated from thoſe who ſhall be in health, and the Phyſician or Surgeon and Apothecary ſhall regularly attend the former, and ſupply them with Medicines and alſo with Broth or other neceſſary Suſtenance: Eighth, That Debtors ſhall be ſeparate from Felons and other Offenders, and that Perſons charged with Highway Robbery, Houſebreaking, Murder, or other Capital Offences, ſhall not be ſuffered to have any Intercourſe with Priſoners confined for Offences which are not Capital, and that Male and Female Priſoners of every Denomination ſhall be kept ſeparate: Ninth, That all Priſoners ſhall have free Acceſs to the Bath and Neceſſary, in their reſpective Parts of the Priſon at all reaſonable Hours, and ſhall alſo be admitted at proper Times in Succeſſion to air themſelves in the Yard or Yards for at leaſt Two Hours in every Day, except Priſoners under Sentence of Death, and ſuch Perſons as ſhall be riotous or diſorderly, or where there may be ſufficient Cauſe to apprehend that an Eſcape may be attempted: Tenth, That no Hogs, Pigs, Cattle, or Poultry of any Kind ſhall be kept in any Yard of any Priſon in *Ireland*: Eleventh, That no Priſoner even when condemned to Death ſhall be put into a Dungeon or Room under Ground, unleſs in Conſequence of outrageous Conduct, or for an Attempt to break out of Priſon: Twelfth, That no Spirituous Liquors of any Kind ſhall be admitted into any Priſon on any Pretence whatſoever, unleſs as directed in a written Order from the Phyſician, Surgeon, Apothecary, Medical Aſſiſtant or Inſpector, ſpecifying the Quantity ſo to be admitted and for whoſe Uſe, nor ſhall any Penny Pot or Garniſh be taken from Priſoners on their Entrance into Priſon on any Account or Pretence whatſoever: Thirteenth, That a Table of Fees ſhall be made out by the Inſpector General of Priſons, and the Inſpector of Priſons in the County of the City of *Dublin*, to be laid by them before His Majeſty's Court of King's Bench, which Table, if it ſhall be approved by the Court, ſhall ſerve as a General Regulation for Fees throughout *Ireland*, and the Inſpector General of Priſons ſhall diſtribute Copies thereof to the ſeveral County Inſpectors, to be by them placed in a conſpicuous Part of the Priſons under their Inſpections, and the Inſpector General of Priſons ſhall likewiſe cauſe ſeveral Copies of theſe Rules, and of all further Rules to be from Time to Time made as herein-after mentioned, to be printed on one Side of a Sheet of Paper and paſted on Boards, which he ſhall alſo diſtribute among the ſeveral County Inſpectors, to be by them placed in the Common Hall of every Priſon: Fourteenth, That every local Inſpector ſhall viſit every Priſon under his Inſpection Twice at leaſt in every Week, that at each Viſit he ſhall go into every Room in the Priſon, and if any Complaint ſhall be made by the Priſoners, or any of them, againſt the Gaoler or his Aſſiſtants, the Inſpector ſhall immediately enquire into the Particulars of ſuch Complaint, and if the ſame ſhall appear to be well founded he ſhall report accordingly to the Inſpector General of Priſons,

and to the Sheriff of the County: Fifteenth, That the ſaid Inſpectors ſhall each of them report ſpecially on Oath in the Manner herein-after directed, the State of each and every Priſon under their Inſpection reſpectively, to the Magiſtrates at the Quarter Seſſions, and likewiſe the Inſpector or Inſpectors for the County of *Dublin*, and County of the City of *Dublin*, to the Court of King's Bench in every Term, and the Inſpectors for all the other Counties to the Judges at the Aſſizes; and all the ſaid local Inſpectors ſhall alſo Twenty-one Days at leaſt before the Sitting of Parliament, tranſmit to the Inſpector General of Priſons a ſimilar Report, together with a Calendar of the Priſoners actually in Cuſtody, ſetting forth the particular Crime for which each Priſoner had been committed, and likewiſe a General Statement of all Priſoners who have been tried, whether acquitted or condemned, ſince the Date of the laſt preceding Report, ſpecifying the ſeveral Crimes of which they were accuſed, and the Sentences of thoſe who have been found guilty: Sixteenth, That in caſe of any riotous, outrageous, or diſorderly Conduct, or of any wilful Miſchief done by any Priſoner to the Priſon, or to any Perſon therein, whether a Priſoner or not, or in caſe of any Perſon being or becoming of inſane Mind, it ſhall be lawful for any Judge of the Superior Courts or for any Two Juſtices of the Peace to examine minutely into the Matter on Oath, and after ſuch Examination to iſſue his or their Warrant to the Keeper of the Priſon, deſiring that every inſane Perſon ſhall be confined during the Continuance of ſuch Inſanity, and every ſuch Offender for ſuch Length of Time as ſhall be ſpecified in ſuch Warrant, in ſuch Room, Cell, or other Place within the Precincts of the Priſon as he or they ſhall think proper, or as ſhall have been ſpecially provided for ſuch Purpoſe; and from the Time when any ſuch Inſanity or Miſconduct ſhall come to the Knowledge of the Keeper of ſuch Priſon, until there ſhall be an Opportunity of holding ſuch Enquiry, it ſhall be lawful for ſuch Keeper of his own Authority to confine ſuch Offender or inſane Perſon in any ſuch Room, Cell, or Place; and if any Priſoner ſhall be a Second Time ordered into ſuch Confinement for Miſconduct on Examination on Oath as aforeſaid, ſuch Priſoner ſhall not during ſuch Second Confinement be permitted to receive any other Food beſides Bread and Water; and in caſe of a Third Confinement of any Priſoner in like Manner, ſuch Priſoner during ſuch Third Confinement ſhall not only be limited to ſuch Food, but ſhall alſo be kept in Irons; provided however, that nothing herein contained ſhall prevent any Priſoner from being diſcharged out of Priſon altogether, if he ſhall become entitled thereto: Seventeenthly, That it ſhall be lawful for His Majeſty's Court of King's Bench in *Ireland*, from Time to Time, as often as it ſhall be neceſſary, to make and ordain ſuch other and further Rules and Regulations conſiſtent with the foregoing, for the Government, Management, or Conduct of all or any Gaol or Gaols, Bridewell or Bridewells, Marſhalſea or Marſhalſeas, Houſe or Houſes of Correction, or any other Priſon or Priſons in *Ireland*, or the Keepers or Keeper, or any other Officers or Officer thereof, or any Priſoners or Priſoner therein, as they ſhall think proper; and that all ſuch Regulations ſhall from Time to Time be poſted up in all Priſons to which the ſame ſhall extend, immediately after theſe Rules, in Manner before mentioned.

How Gaolers ſhall act when prevented from obſerving ſuch Rules.

LXX. And be it further enacted, That any Gaoler or Keeper of a Priſon in *Ireland*, who ſhall find himſelf by any Means or Circumſtances whatſoever diſabled or prevented from carrying the ſaid Rules or any of them into

into Effect, ſhall, on the firſt Opportunity give Notice thereof to the Inſpector of the Priſon, and if the ſaid Inſpector ſhall upon viſiting ſuch Priſon ſee ſufficient Grounds for ſuch Omiſſion, either by reaſon of the Inſufficiency of ſuch Priſon or otherwiſe, he ſhall, by Writing under his Hand, give to the ſaid Gaoler or Keeper, a Certificate thereof, and no Fact or Occurrence ſhall be admitted as a ſufficient Excuſe, to any ſuch Keeper of a Priſon, for the Breach or Neglect of any of the Rules aforeſaid, unleſs ſuch Fact ſhall have been ſo repreſented by him to ſuch Inſpector at ſome Time before ſuch Breach or Neglect, or within One Week after the ſame.

Inſpectors to inſert in their Report on State of Priſons, how far ſuch Regulations have been obſerved.

LXXI. And be it further enacted, That all Inſpectors of Gaols, Bridewells, Houſes of Correction or other Priſons, ſhall in the Reports of the State of the Gaols, Bridewells, Houſes of Correction, or other Priſons under their Inſpection reſpectively, inſert a Copy of the foregoing Regulations, and of ſuch farther Regulations as ſhall from Time to Time be in force, in their reſpective Priſons at full length, and in a ſeparate Column oppoſite to each of the ſaid Regulations ſhall certify and ſtate how far each of them has been obſerved and complied with, and ſhall alſo ſtate and ſet down how far the ſeveral other Directions contained in this preſent Act have been obſerved and executed.

Marſhalſea of the Four Courts to be kept ſeparate from other Priſons.

LXXII. And be it further enacted, That the Marſhalſea of the Four Courts ſhall be kept ſeparate and diſtinct from all other Priſons, under the Care of the Marſhal of the Four Courts, appointed or to be appointed by His Majeſty's Letters Patent under the Great Seal of *Ireland*, or by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being.

Fees to be taken by Marſhal of Four Courts.

LXXIII. And be it enacted, That the Marſhal of the Four Courts ſhall take, demand, and receive the ſeveral Fees following and no more; *videlicet*, That every Priſoner ſhall pay to the Marſhal for Committal Fee, in every Cauſe in which any Priſoner ſhall be committed to, or ſhall be in his Cuſtody, Six Shillings and Eight-pence; for a Diſcharge or a Diſmiſſion Fee to the Marſhal Six Shillings and Eight-pence, and to the Turnkey One Shilling and Seven-pence Half-penny; upon every *Habeas Corpus* directed to the Marſhal, the Perſon in Cuſtody who obtained or procured the ſame, ſhall pay to the ſaid Marſhal Two Shillings and Sixpence: And every Priſoner brought into Court by *Habeas Corpus ad Satisfaciendum*, or brought up in Cuſtody thereupon, committed to the Marſhal in Execution, ſhall pay to the ſaid Marſhal the Fees following; *videlicet*, Sixpence in the Pound where the Execution is or ſhall be for any Sum of or under One hundred Pounds; and when the Execution is or ſhall be for more than One hundred Pounds, then the ſaid Perſon or Perſons ſo committed in Execution, ſhall pay to the ſaid Marſhal Three-pence for each Pound over and above the Sum of One hundred Pounds, and no more: Provided alſo, that no Perſon or Perſons ſo committed in Execution ſhall be charged with or liable to pay any more of the ſaid Poundage or Execution Fees than for ſuch Debt or Damages and Coſts as he, ſhe, or they ſhall really owe, and which the Plaintiff or Plaintiffs on ſuch Execution ſhall be really and *bonâ fide* entitled to receive.

LXXIV. And it is hereby also enacted, That upon the pleading of any Pardon at the Bar for any Person in the Marshal's Custody, the said Person for whom such Pardon is pleaded shall pay to the said Marshal for his Fee thereon Seven Shillings and no more. Fees for pleading any Pardon.

LXXV. And be it further enacted, That every Prisoner lying in the Common Hall shall pay One Penny *per* Night to the Marshal, and no more, for his said Lodging; and that as to all and every other Rooms and Accommodations in the said Marshalsea, the same, and the Rates and Prices to be paid for the same, shall be regulated and governed in such Manner and according to such Rates as the Court of King's Bench in *Ireland*, having due regard to all Circumstances, shall from Time to Time direct and order. Fees for Lodging.

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

LXXVII. And be it further enacted, That the Marshalsea of the City of *Dublin* shall be likewise kept separate and distinct in another House by itself, under the Care of such Person or Persons as shall be duly authorized and appointed to keep the same. Marshalsea of the City of Dublin to be kept distinct.

LXXVIII. And, for the better regulating and ascertaining the Fees of the Marshal of the City of *Dublin* for the Time being, and the Lodging of the said Marshalsea of the said City, be it further enacted by the Authority aforesaid, That the following Fees and no other shall be taken by the Marshal of the City of *Dublin* for the Time being; *videlicet*, Fees to the Marshal of the City of Dublin;

For every Prisoner committed to his Custody upon an Action out of the Tholsel Court, Two Shillings and Sixpence:

For every Prisoner committed by the Lord Mayor for Petty Debts, One Shilling:

For every Writ of *Venire Facias* or *Fieri Facias* issued out of the City Court of the said Marshalsea, One Shilling and Sixpence:

For all Executions out of the City Court directed to the said Marshal, Sixpence in the Pound for every Sum of or under One hundred Pounds; and where the Execution is for more than One hundred Pounds, then to receive only Three-pence *per* Pound for each Pound, over and above the Sum

Sum of One hundred Pounds, and in ſuch Manner and under ſuch Reſtrictions as are appointed by this Act for the Marſhal of the Four Courts.

who is to obſerve the ſame Rules and take ſame Rates for Lodging as the Marſhal of Four Courts.

LXXIX. And be it further enacted, That the ſaid Marſhal of the City of *Dublin* ſhall obſerve and keep the ſame Rules, and take the ſame Rates for the Lodging and Accommodation of Priſoners, in ſuch Sort and in ſuch Manner as the Marſhal of the Four Courts ſhall from Time to Time be entitled to take, ſave ſo far as the ſame may be otherwiſe ordered by the ſaid Court of King's Bench; and in caſe the Marſhal of the City of *Dublin* for the Time being, his Deputy, or any other Perſon or Perſons employed under him, ſhall take, receive or exact any other or greater Fees than as aforeſaid, or any Gratuity or Reward from any Perſon whatſoever committed as a Priſoner to his Cuſtody, or ſhall not obſerve and perform the Rules and Rates in every Reſpect herein ordained, or which ſhall from Time to Time be preſcribed as aforeſaid, then the ſaid Marſhal of the City of *Dublin* for the Time being, or his Deputy, which ever of them ſhall offend herein, ſhall ſuffer and incur the like Forfeitures and Diſabilities as concerning the Marſhal of the Four Courts is hereinbefore provided.

Corporation of Dublin to appoint a Keeper of the Marſhalſea;

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

who is to be anſwerable for the ſafe Cuſtody of Priſoners.

LXXXI. And be it further enacted, That the ſaid Keeper ſhall be anſwerable for the ſafe Cuſtody of all ſuch Priſoners as ſhall be confined in ſaid Marſhalſea Priſon, and that he ſhall obſerve and perform the ſeveral and reſpective Rules herein required of other Keepers of Priſons wherein Debtors are confined.

Such Appointment not to interfere with the Profits of the Marſhal.

LXXXII. Provided always, and be it further enacted, That ſuch Nomination or Appointment of ſuch Perſon to be Keeper of ſuch Marſhalſea Priſon as aforeſaid, ſhall not extend or be conſtrued to extend to permit or allow any ſuch Perſon to interfere in any Sort or Degree whatſoever with any of the Duties, Privileges, or Emoluments annexed to the ſaid Office of Marſhal, or which heretofore have been exerciſed or enjoyed by him or his Predeceſſors, ſave only and except in the Care of the ſaid Marſhalſea Priſon, and the ſafe keeping of the Priſoners to be confined therein.

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

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

For discharging Criminals detained for Fees.

LXXXIV. And be it enacted, That it shall and may be lawful for any Prisoner in *Ireland* who shall have been convicted of any Offence or Offences, and shall be detained in Prison only for his Fees by Reason of such Conviction or Convictions, and of his Imprisonment for such Offence or Offences, to present a Petition to the Court of King's Bench if in the County of *Dublin* or County of the City of *Dublin*, and if in any other County in *Ireland* to the Judges of Assize of such County, or in any of the said Cases to the Court of Quarter Sessions, stating that he or she is unable to pay his or her Fees aforesaid, and praying that such Fees may be remitted; and the Court to which such Petition shall be presented, shall examine into the Truth of the Matters therein alledged, upon the Oaths not only of such Prisoner, but also of the Gaoler and of every such other Person or Persons as such Court shall think fit and proper to be examined relative to the same; and thereupon it shall and may be lawful for such Court to make such Order for remitting the Whole or any Part, Share, or Proportion of such Fees as such Court shall think proper; and on such Order being made, it shall and may be lawful to and for the Grand Jury of such Court, if they shall think fit, to present the Amount of the Sum or Sums so remitted to be raised on such County, and to be paid to the Person or Persons whether Clerk or Clerks of the Crown or of the Peace, Sheriffs or Gaolers, whose Fees or any Part of whose Fees shall have been so remitted according to their respective Proportions thereof; and if the Whole of such Fees shall have been so remitted, then such Prisoner shall be discharged from any further Imprisonment by reason of such Fees, and if a Part only shall be so remitted, then on the Payment of the Residue of such Fees, such Prisoner shall be in like Manner discharged.

49 G. 3. c. 101. as to Fees on Criminal Prosecutions, declared to extend to Dublin County and City.

LXXXV. And be it enacted and declared, That all Fees on Criminal Prosecutions, and the several other Matters relating thereto, payable to any Clerk of the Crown, Clerk of the Peace, or any of their Deputies, Sheriff, or Under Sheriff, Gaoler or Under Gaoler, or Turnkey or Crier, or other Person acting under them or any of them, in *Ireland*, are and shall be payable in the County of *Dublin* and County of the City of *Dublin*, in the same Manner in all respects as in the other Counties of *Ireland*; and that in the said County of *Dublin* Presentments in lieu of the Fees of such Persons as shall have been indicted, tried, acquitted and discharged without paying Fees, shall be made at the Presenting Terms, in like Manner in all Respects as at the Assizes in the other Counties of *Ireland*, under and by virtue of an Act of the last Session of Parliament for regulating the Fees payable by Persons charged with Treason, Felony and all other Offences at Assizes and Quarter Sessions in *Ireland*, or any other Act or Acts for such Purpose.

Presentments under this Act to be assessed on Counties at large.

LXXXVI. And be it enacted, That all and singular the several Sums of Money directed by this Act to be presented by the Grand Juries of the several Counties in *Ireland*, shall be raised, levied, applotted, and assessed upon the said Counties respectively, after the same Manner as other Presentments for County Charges.

Judges to fine the Counties if Presentments are not made.

LXXXVII. And be it enacted, That if any of the said Grand Juries, after having been properly called upon and directed by such Court and Judges respectively to make such Presentments as are required or authorized by this Act, shall, notwithstanding neglect or omit to make such Presentment

or Provision respectively before the last Day of the said Assizes or Presenting Term respectively, or shall not present a sufficient Sum for any of the said Purposes, then and in every such Case the said Court and Judges respectively are hereby empowered, directed, and required to impose such Fine or Fines on such County, County of a City, or County of a Town, as they shall deem just and necessary, and as shall be at least equal to the Amount of such Deficiency: Provided always, that no such Fine or Fines shall be levied upon such County, County of a City, or County of a Town, unless such Fine shall be confirmed at the next ensuing Assizes or Presenting Term, as the Case may be, by the Court or Judge at such ensuing Assizes or Presenting Term.

Application of such Fines.

LXXXVIII. And be it enacted, That in the Order for any such Fine so to be imposed for refusing or omitting to make any Presentment, or for not presenting a sufficient Sum, the particular Object and Purpose for which such Presentment ought to have been made shall be stated, and such Fine when levied shall be applied to such Purpose, and shall be accounted for in like Manner as if the same had been regularly presented by the Grand Jury for the said Purposes respectively: Provided always, that every Fine to be imposed upon any County pursuant to this Act, shall be laid on, applotted, and levied, upon the County at large, in the same Manner as Presentments made by the Grand Jury for County Charges.

To be levied as County Presentments.

Judges to reduce Presentments if more than necessary for the Purposes presented for.

LXXXIX. Provided also, and be it enacted, That if any of the said Grand Juries shall at any Time present for any of the said Purposes a Sum which shall appear to the Court to be greater than is proper or reasonable for such Purpose, then and in every such Case it shall and may be lawful to and for the Court or Judge who shall confirm or fiat such Presentment, at the Time of so confirming or fiating the same, to order that the same shall be reduced to such Sum as he or they shall think proper, which shall be done accordingly, and shall be deemed, taken and proceeded on in the same Manner in all Respects as if the same had been originally so presented.

Court of King's Bench and Judges of Assize to examine into the Manner of executing the Act.

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

For Payment of Expences incurred since 1st July 1809, and before the Operation of this Act.

XCI. And whereas divers Hardships have been lately found to exist in some of the Prisons in *Ireland*, for which no Remedy had been provided by Law, and it was not consistent with Humanity or Justice that the same should be allowed to remain unredressed until an Act of Parliament should be passed, and divers Costs and Expences have been and continue to be incurred in removing the same; be it therefore enacted by the Authority aforesaid, That all and every Sum and Sums of Money which at any Time or Times

from the First Day of *July* in the Year One thousand eight hundred and nine to the First of *July* in the Year One thousand eight hundred and ten shall have been expended by or under the Orders or Authority of the Lord Lieutenant of *Ireland*, and which if so expended after the said First Day of *July* One thousand eight hundred and ten would under the Provisions of this Act be payable out of the Consolidated Fund of *Ireland*, shall and may be paid and allowed out of the same; and that all and every Sum and Sums which shall have been so expended within the said Period, and which if expended after the said First Day of *July* in the Year One thousand eight hundred and ten would be properly leviable by Presentment, being duly vouched by the Oath of the Person or Persons employed therein, shall and may be levied and raised by such Presentment, and paid over, under the Orders of the Lord Lieutenant of *Ireland* to replace the Money so expended, any Law or Usage to the contrary notwithstanding; and if by any Means it shall happen that any such Sum or Sums shall not be so levied, then and in such Case and until the same shall be done, all and every such Sum and Sums shall be paid and advanced out of the Consolidated Fund of *Ireland*.

Limitation of Actions.

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

Commencement of the Act.

XCIII. And be it enacted, That this Act, and all and every Clause, Matter and Thing therein contained, shall commence on the First Day of *July* in this present Year One thousand eight hundred and ten, and shall take Effect from thenceforth, and not sooner.

Act may be altered this Session.

XCIV. And be it enacted, That this Act may be amended, altered, or repealed by any Act or Acts to be passed during the present Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1810.