


ANNO PRIMO & SECUNDO

# GEORGII IV. REGIS.

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all County Prisons, and examine how far the Regulations under 50G.3. c.103. &c. are complied with, and in case of any Misconduct report to Lord Lieutenant or the Grand Jury at the Assizes, &c.

for such County, or County of a City, or County of a Town, from Time to Time as they shall think fit or see occasion, to visit any Gaol, Bridewell, House of Correction, or any other Prison within such County, County of a City, or County of a Town, and belonging thereunto; every such Visit to be on such Day and Hour, and either by previous Appointment or not, as such Grand Jury or Grand Jurymen shall think fit and proper; and it shall be lawful for such Grand Jury, or any Three or more Grand Jurymen, to enquire concerning the due Performance of the Rules and Regulations in and by the said recited Act of the Fiftieth Year of the Reign of His said late Majesty prescribed and required to be observed in Prisons throughout *Ireland*; and also concerning the due Performance of such other Rules and Regulations as may have been lawfully made under the Authority of any other Act of Parliament, or of His Majesty's Court of King's Bench in *Ireland*, or of the Judges of Assize, under the Authority of this Act, in Manner herein-after provided, or under any other lawful Authority whatsoever; and also to examine into the Conduct and Situation of the Prisoners in any such Gaol, Bridewell, House of Correction, or Prison respectively, and of all Persons concerned in the Government or Management thereof, or holding any Office or Employment therein or relating thereto respectively; and such Grand Jury, or any Three or more Grand Jurymen, are hereby authorized and empowered to examine on Oath any Person or Persons touching the Conduct of any Officer of any such Prison, or of any Prisoner therein, or touching or relating to the Government and Management of such Prison, and the Promotion of Industry and Order therein, and the Classification and Distribution of Offenders and Prisoners in any such Prison, and the Separation of Male and Female Prisoners, and of Prisoners committed for Trial only, from such as shall have been convicted of Crimes and under Sentence of Punishment; and if it shall appear to the said Board, by Evidence on Oath or otherwise, that the Persons concerned in the Government or Management of any such Prison, or any of them, or any Person holding any Office or Employment therein or relating thereto, have misbehaved therein, by any Neglect or Breach or Non-observance of the Rules and Regulations, or any of them, to which they were respectively bound by Law to conform, then it shall be lawful for such Grand Jury or Grand Jurymen, and they are hereby authorized, empowered, and required, to make a Report respecting such Misbehaviour to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, without Delay, or otherwise to make such Report to the Grand Jury at the next Assizes, or to the Sheriff of the County, or to all or any of them, at the Discretion of such Visitors; and in the meantime to admonish and reprimand all Persons guilty of any Misconduct in or relating to such Prison.

Keepers, Inspectors and Officers of Prisons shall attend and answer all Enquiries of the Grand Jury.

II. And be it further enacted, That every Keeper of any such County Prison, and the Inspector and every other Officer of such Prison, shall, at all reasonable Hours attend in such Prison, on due Notice for that Purpose, in order to give to such Grand Jury or Grand Jurymen such Information as may be necessary, on Oath or otherwise, as shall be required by such Grand Jury or Grand Jurymen, concerning such Prison, and the Officers thereof,

thereof, or any of them, and concerning the Prisoners therein, or any of them, and relating to all Matters connected with the Order and good Government of such Prison; and if any such Keeper, Inspector, or other Officer, shall refuse so to attend, or to be examined, or to give sufficient Answers to any Enquiries, it shall and may be lawful for any one of such Grand Jury or Grand Jurymen to make Complaint thereof to the Court or Judge at the next ensuing Assizes to be held for such County, or County of a City or Town, and such Court or Judge may commit such Offender, as in Cases of Contempt of Court committed in the Face of the Court at such Assizes.

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

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

Not to be supplied in any other Way.

Money for providing such Food and Necessaries shall be raised by Presentment.

IV. And be it further enacted, That the Money required for the Payment of any Person or Persons who shall supply, or shall contract to supply any such Food, or other Necessaries, Articles, Matters, or Things respectively, for the Use of such poor Prisoners, shall be raised and levied in every County, County of a City, and County of a Town, throughout *Ireland*, by Presentment of the Grand Jury, in like Manner as Money for similar Purposes has been heretofore raised and levied under the said recited Act of the Fiftieth Year of His late Majesty's Reign; save as in and by this Act is otherwise expressly provided.

Inspector shall prepare Dieting Table of Provisions for poor Prisoners, to be approved by Three Grand Jurymen or Justices of Peace; and Provisions shall be distributed according to such Table,

V. And whereas by the said recited Act of the Fiftieth Year of His late Majesty's Reign, it is among other Things provided, that the Inspector of every Prison in *Ireland* should oversee and regulate the providing Food as he should 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 should stand in need of such Assistance, and it is expedient that the said Provision should be altered as herein-after is provided; be it therefore enacted, That so much of the said Act as prescribes any Amount in Value for such Provisions, shall be and the same is hereby repealed; and that from and after the passing of this Act, every Inspector of Prisons in *Ireland* shall make out a regular Dietary Table for each and every Gaol, Bridewell, House of Correction, or other Prison within his Inspection respectively, setting

under Regulation of 50G.3.c.103.

ting forth the Quantity and Description of Food for each and every Day during the Week, to be allowed *per* Head to all poor Prisoners therein; which Dietary Table so prepared, in Cases where such Prison shall be situate in the County of *Dublin*, or the County of the City of *Dublin*, shall be submitted to the Divisional Justices of the Castle Division; and where such Prison shall be situate in any other Part of *Ireland*, such Table shall be submitted to such Three Grand Jurymen or Three Justices of the Peace of the County of a City or County of a Town, in which such Prison shall be situate, whose Residences shall be near to such Prison, in order that such Table may be approved, or may be altered or amended, as such Justices respectively, or such Three Grand Jurymen, shall think fit; and such Dietary Table, when approved of by such Justices or Grand Jurymen respectively, shall be adopted and strictly adhered to in such Prisons respectively, for which the same shall be so appointed, until a new Dietary Table shall be appointed for such Prison; and a Copy of every such Dietary Table shall be placed by such Inspector in some conspicuous Part of the Common Hall in every such Prison within his Inspection; and according to such Table Provisions shall be provided for and distributed to all poor Prisoners in such Prisons respectively, in the same Manner as and in lieu of the Provisions directed by the said Act of the Fiftieth Year of His late Majesty's Reign.

Dietary Table may be altered by Justices, Inspector, &c.

VI. And be it further enacted, That it shall and may be lawful for the said Divisional Justices in *Dublin*, and for any such Three or more Grand Jurymen, or any Five Justices of the Peace of such County, County of a City, or County of a Town, or for the Inspector of Prisons, with the Consent of any Three such Justices of the Peace respectively, from Time to Time, as they shall think fit, to alter or vary any such Dietary Table at their Discretion; and thereupon such Table so altered shall be forthwith copied out by the said Inspector, and set up in the Place of any former Dietary Table, to be in every respect pursued and abided by, until such Table shall be again duly altered as aforesaid.

Contracts for supplying Food to be entered with the Clerk of the Peace.

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

Lord Lieutenant to appoint Two Inspectors General of Prisons.

VIII. And whereas by and under the Provisions of the said recited Act of the Fiftieth Year of the Reign of His late Majesty, it is among other Things enacted, that it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, to appoint one Inspector General of Prisons in *Ireland*: And whereas the said Inspector General of Prisons is, by the said Act, required to visit every Prison in *Ireland* once at least in every Two Years, as also every Madhouse or Lunatic Asylum, and to report thereupon to the Lord Lieutenant and to Parliament: And whereas the said Duties have been found too extensive and arduous for the Performance of

one Officer, and it is necessary to provide more effectually for the due Execution of the same; be it therefore enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, to nominate and appoint Two fit and proper Persons to be Inspectors General of Prisons in *Ireland*, removable at the Will and Pleasure of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being; and such Two Persons shall perform all the Duties prescribed for the Inspector General of Prisons under the said hereinbefore recited Act, and as directed by this Act.

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

IX. And be it further enacted, That it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to apportion the several Counties, Counties of Cities, and Counties of Towns, in *Ireland*, into Two Circuits, for the Purposes of this Act; and each of the said Inspectors General shall once at the least in every Year visit every Gaol, Bridewell, House of Correction, Penitentiary, or other Prison, and every Madhouse and Place where Lunatics and Idiots are confined, for the Purpose of making an annual Inspection, and report upon the State thereof within one of the said Circuits respectively alternately, in each succeeding Year, so that every Gaol, Bridewell, House of Correction, Penitentiary, Madhouse, and other Prison and Place as aforesaid, shall be visited and reported upon by each of the said Inspectors General once in every Two Years at the least.

Reports of Inspectors General to be laid before the Grand Juries at the Spring and Summer Assizes.

Allowance of 20*l.* to the Inspector General.

X. And be it further enacted, That a Copy of the several Reports of each of the said Two Inspectors General shall be laid before the Grand Juries of the Counties, Counties of Cities, and Counties of Towns respectively, to which such Reports shall relate, at the several Spring and Summer Assizes; and every such Report shall contain an Account of each and every Gaol, Bridewell, House of Correction, Penitentiary, or other Prison, and of every Madhouse and Place where Idiots and Lunatics are confined within the said Counties, and Counties of Cities, and Counties of Towns respectively; and it shall and may be lawful to and for the Treasurers of such Counties, Counties of Cities, and Counties of Towns as aforesaid, to pay to the Inspector General for the Year, who shall make such Reports, a Sum of Twenty Pounds, which Sum shall be charged by such Treasurer in his Accounts, and shall be allowed by the said Grand Jury.

Inspector General to exercise the Powers given to Inspectors by 50 G. 3. c. 103.

XI. And be it further enacted, That each of the said Inspectors General to be appointed under this Act shall and may in the Circuit which he shall annually make, exercise and possess all the Powers, and perform all the Duties, given and prescribed to the Inspector General of Prisons by the said recited Act of the Fiftieth Year of the Reign of His late Majesty.

Inspectors General to make out Lists of Prisons, &c. within their Circuit.

XII. And be it further enacted, Tha within Six Calendar Months after the passing of this Act the s eral Inspectors General of Prisons in *Ireland* shall make out L ts of all Marshalseas, Penitentiary Houses, Gaols, Bridewells, Houses of Correction, and all other

other Prisons in *Ireland*, of what Nature or Kind soever the same may be respectively, and also of all Houses and Establishments for the Reception or Care of any Idiots or Lunatics within the Circuit of each such Inspector General, and whether the same be supported by any public Fund or Duty, or by any Charitable Fund, or by Subscription, or for Profit, or by any Two or more of the said Modes; and at the Foot of such Account each such Inspector General shall make Affidavit before the Lord Mayor of *Dublin* that the same is a true, full, and perfect List of all such Prisons, Houses, and Establishments, as far as such Inspector General has been able to ascertain the same; and each such Inspector General shall forthwith, after making such Affidavits, deliver such List, so verified, to the Chief Clerk at the Civil Side of the Office of the Chief Secretary to the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, in the Castle of *Dublin*, to be there preserved, and copied into some proper Book for that Purpose; and a Copy of such Lists shall be laid before both Houses of Parliament.

Lists to be verified before the Lord Mayor of Dublin.

Returns to be made yearly of the State of the Prisons at the Office of the Chief Secretary, and laid before Parliament.

XIII. And be it further enacted, That on or before the Twentieth Day of *December* in each and every Year, each Inspector General of Prisons in *Ireland* for the Time being shall in like Manner make a Return at the said Office of such Chief Secretary in *Dublin*, setting forth each and every Alteration which shall have taken place within the Circuit of such Inspector General, with respect to all such Prisons and Establishments as aforesaid, since the last preceding Return; and if no Alteration shall have so taken place, then stating the same accordingly; and such Return shall be verified, on Oath, in like Manner as aforesaid; and after every such Return in which any Alteration shall be set forth, a new List of all such Prisons and Houses as aforesaid, corrected according to such Return, shall be made, so as that there shall be at all Times in the said Office a List of all such Prisons and Houses in *Ireland*, corrected according to such Returns respectively; and a Copy of all such Lists shall be from Time to Time laid before both Houses of Parliament.

Inspector General shall visit every Prison, &c. once in Two Years.

XIV. And be it further enacted, That from and after the passing of this Act, it shall be the bounden Duty of every such Inspector General to visit each and every such Prison, and each and every such House and Establishment, once in Two Years at the least, and to report thereon, in manner required by the said recited Act of the Fiftieth Year of His late Majesty's Reign, and this Act; and that the Salaries and Allowances provided by the said recited Act for the Inspector General of Prisons in *Ireland* shall, from and after the passing of this Act, be payable and paid, in Two equal Parts, to and between the Two Inspectors General to be appointed under this present Act; and that no Part of such Salary or Allowance, payable under the said recited Acts out of the Consolidated Fund, shall be at any Time paid to any Inspector General until he shall produce, to the Officer who is to pay the same, a Certificate from the Chief Clerk in the said Office of the Chief Secretary, bearing Date subsequent to the Day on which such Money became due, and certifying that such Inspector has, on or before the Day of the Date of such Certificate, made the Report required by Law in that respect; and

Salary shall not be paid to Inspector General but under Certificate of Chief Clerk in Secretary's Office, that regular Re-

no such Certificate shall be granted until such Inspector General shall have delivered in to such Chief Clerk a Copy of the last corrected List which shall then be in such Office, with a Statement opposite to each Prison, House, and Establishment therein, setting forth on what Day, Month, and Year such Inspector General, or his Predecessor in Office, last visited and reported on the same respectively, which List, with such Statements thereon, shall be signed and dated by such Inspector General; and no such Certificate shall be so granted thereon, unless it shall appear thereby that such Inspector General has done his Duty in the Premises as fully as it was in his Power to do.

turns, &c. have been made.

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

Penalty on Inspector General for false Return, 500*l.* and Loss of Office.

XVI. And whereas by the said recited Act of the Fiftieth Year of His late Majesty's Reign, it is among other Things provided, that in every Appointment to be made of any Local Inspector of any Gaol, the Minister or Curate of the Parish wherein such Gaol shall be situated shall be preferred; be it enacted, That the said recited Provision of the said recited Act shall be and the same is hereby repealed; and that from and after the passing of this Act it shall and may be lawful for every Grand Jury, in the making such Appointment, to select any Persons to be Local Inspectors as to such Grand Jury shall seem most fit and proper to discharge the Duties of the said Office: Provided always, that it may be lawful for the Grand Jury to appoint such Minister or Curate to be such Local Inspector, if such Grand Jury shall think such Minister or Curate to be a fit and proper Person for that Purpose.

Grand Jury to appoint Local Inspectors.

XVII. And be it further enacted, That in all future Appointments of Protestant Chaplains to any Gaol, the Protestant Minister or Curate of the Parish wherein such Gaols shall be situated, and in all future Appointments of Roman Catholic or Dissenting Chaplains, the Clergyman or Curate of such Persuasion respectively, who shall act within the Parish in which such Gaols respectively are situate, shall be preferred, if such Minister, Clergyman, or Curate will accept such Appointment, and if there does not appear, on Examination, to be any just or reasonable Objection to such Minister, Curate, or Clergyman as aforesaid.

If Ministers are appointed, those of the Parish where Prison is situated shall be preferred.

XVIII. And be it further enacted, That from and after the passing of this Act, in every Gaol, House of Correction, Marshalsea, Bridewell, Penitentiary House, Sheriff's Prison, and other Prison throughout *Ireland*, a Book shall be kept and constantly remain therein, in order that any Three or more of the Grand Jury in Execution of this Act, and also the several Officers in Attendance in such Prison, and the Keeper thereof, shall and may, from Time to Time, make and enter therein such Observations as they shall respectively think fit; and every Inspector, Chaplain, Physician, Surgeon, Apothecary,

Book to be kept in each Prison, in which Member of Grand Jury and Inspector, &c. shall enter Observations.

Apothecary, or other Officer attending on or required to attend on such Prison, shall in his Turn insert in such Book, in his own Handwriting, his Name, and the Date of such Visit, together with any Observations which may occur to him relative to the State of the Prison and the Conduct of the Prisoners, and of the Officers of the Establishment; and every Keeper of every such Prison shall be responsible for the safe Custody of such Book, and shall, at all Times when required so to do, produce the same for Inspection to the Grand Jury, or any Member thereof, or to any Justice of the Peace of the County, County of a City, or County of a Town, wherein such Prison shall be situate, without Fee or Reward.

Appointments of Physicians, Surgeons, and Apothecaries.

XIX. And be it further enacted, That in the Appointments of Physicians, Surgeons, and Apothecaries to any Gaols respectively, the attending Physicians, Surgeons, and Apothecaries of the County Infirmary shall be preferred, unless such Physician, Surgeon, or Apothecary shall refuse to accept such Appointment, or unless it shall appear, upon Examination, that there exists any just or reasonable Objection to any such Physician, Surgeon, or Apothecary, and provided that the said County Infirmary shall be situate within Three Miles of the Gaol to which such Appointments shall be respectively made: Provided also, that such Physicians, Surgeons, and Apothecaries, so appointed, shall be subject to all the Rules and Regulations contained in this Act, as well as in the said recited Act of the Fiftieth Year of His late Majesty's Reign.

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

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

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

XXI. And be it further enacted, That it shall and may be lawful to and for the Grand Jury of any County, or County of a City, or County of a Town, to appoint and appropriate such Parts of the several Gaols respectively as such Grand Jury shall think fit, to be Houses of Correction for the Custody and Punishment of convicted Prisoners; and it shall and may be lawful for any Grand Jury in every such Case to appoint a Keeper or Governor of such House of Correction, with such Salary as to such Grand Jury shall seem meet; and every such Keeper or Governor of such House of Correction shall be subject and liable to, and shall obey and comply with all the Rules and Regulations prescribed for Gaolers in and by the said recited Act of the Fiftieth Year of His late Majesty's Reign and this Act: Provided always, that nothing in the said recited Act or this Act contained, shall be construed to extend to prevent the Governor or Keeper of the House of Correction in any County, County of a City, or County of a Town, from being appointed by the Sheriffs

But Sheriffs may appoint such Keepers.

respectively to be the Keeper or Governor of the Common Gaols within their respective Jurisdictions.

Bridewells distant more than Three Miles from County Gaols shall be visited by officiating Clergyman of the Parish.

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

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

Detention where Bridewell is distant more than Twelve Miles.

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

Poor Prisoners shall be kept to work under Orders of Board of Superintendance, &c.

XXIV. And be it further enacted, That the Keeper of any Prison in *Ireland* shall have full Power and Authority, and he is hereby required, when practicable, to keep every poor Prisoner in such Prison to Labour of such Kind as the said Divisional Justices in *Dublin*, or the Grand Jury, or any Three or more Grand Jurymen, or, in their Default, any Three Justices of the Peace respectively, shall direct and appoint, by any Order to be made for that Purpose; and if the Work to be performed by any such poor Prisoner shall be of such a Nature as may require previous Instruction, proper Persons shall be provided to give the same, by the like Order, to whom a suitable Allowance shall be made, to be paid by Presentment on such County, County of a City, or County of a Town.

Tools, &c. shall be provided by Presentment.

XXV. And be it further enacted, That from and after the passing of this Act, all Materials and Tools necessary for any such Work, and all Books and Teachers necessary for the Instruction of every such poor Prisoner, shall be in like Manner provided, and the Expence thereof raised by Presentment, as aforesaid.

Poor Prisoner shall have One Third of

XXVI. And be it further enacted, That in every Prison in *Ireland* an Account shall be kept by the Keeper of such Prison, of the Profits

his Earnings, and Two Thirds shall be applied to his Maintenance.

of the Work of each poor Prisoner therein; and One Third of such Profits shall be for the Use of such poor Prisoner, and the other Two Thirds of such Profits shall be applied in and towards the Payment of and for the several Necessaries supplied to the poor Prisoners in such Prison, as therein provided, and the Balance only shall be paid, from Time to Time, out of the Funds herein directed in that Behalf respectively.

Court of King's Bench empowered to make new Rules and Regulations on Petition of Grand Jury, &c.

XXVII. And whereas it may hereafter be found expedient that new and additional Rules and Regulations for all Prisons, or for any particular Prison in *Ireland*, should from Time to Time be made, or that any Rules or Regulations established by the said recited Act of the Fiftieth Year of His said late Majesty's Reign should be modified so as to meet Events or Exigencies which cannot now be foreseen; be it therefore enacted, That on Petition to His Majesty's Court of King's Bench in *Ireland*, from the Grand Jury, or any Three or more Grand Jurymen, or any Three Justices of the Peace for the County, City, or Town in which any Prison shall be situate, and after such Inquiry made on Oath or otherwise, if any, as such Court shall think proper, it shall and may be lawful to and for the said Court to order, direct, and ordain, that any such Rules or Regulations shall be altered; or that any new Rules and Regulations shall be made and established for the better Government of such Prisons, and the Officers thereof, and the Provisions therein, and for the Classification and Distribution of such Prisoners, and for the Separation of Male from Female Prisoners, and of Prisoners committed only for Trial from such Prisoners as shall have been convicted of Crimes, and under the Sentence of Punishment, and generally either with respect to all Prisons, or to any Kind or Description of Prisons, or to any particular Prisons or Prison in *Ireland*, at the Discretion of such Court; and all such Rules, so altered or established, shall be of the same Force, Validity, and Effect, but not otherwise, as if expressly enacted by the said recited Act or this Act; any thing in the said recited Act, or in this Act, to the contrary thereof in anywise notwithstanding.

Judges of Assize, on like Petition, may alter or make new Regulations for Gaols.

XXVIII. And be it further enacted, That like Petitions may be presented to the Judges of Assize at any Assizes for any County, County of a City, or County of a Town, in *Ireland*, and the same shall be given charge to the Grand Jury at such Assizes; and that such Grand Jury shall enquire into the Matter of such Petition, on Oath or otherwise, and shall deliver to the Court their Recommendation thereon; and thereupon it shall and may be lawful to and for the said Judges of Assize in like Manner to direct that any existing Regulations may be changed or altered, or that any new Regulation or Regulations may be established for any of the Purposes aforesaid, pursuant to such Recommendation, if such Judge shall think proper so to do, by Order to be made for that Purpose; and every such Order shall be of the same Force and Effect as to all Prisons of such County, or any of them to be specified in such Order, as if made by the said Court of King's Bench.

Grand Juries (except in Dublin) may

XXIX. And whereas it may often happen that Grand Juries and Jurymen will be necessarily occupied with public Business of great Im-

 portance

portance both of a local and general Nature, so as to be thereby prevented from giving the requisite Attention to the Exercise of all the Powers vested in them, or the effectual Performance of the Duties required of them under the said recited Act of the Fiftieth Year of His late Majesty's Reign, and under this present Act; be it therefore enacted, That from and after the passing of this Act it shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town, in *Ireland* (save and except the Grand Juries of the County of *Dublin* and the County of the City of *Dublin*), and any such Grand Jury are hereby authorized and empowered, if they shall think proper so to do, at each and every or any Assizes, with the Consent and Approbation of the Court or Judge at such Assizes, to appoint not less than Six nor more than Twelve Persons, One-third of whom at least shall be Justices of the Peace for the County, County of the City, or County of a Town, wherein such Appointment shall take place, or Members of the said Grand Jury, to be a Board of Superintendance of every Gaol, Bridewell, House of Correction, or other Prison within such County, County of a City, or County of a Town respectively, and being a Prison of such County, County of a City or Town; and that it shall and may be lawful for the Grand Jury, at any subsequent Assizes for any such County, County of a City, or County of a Town, to appoint other Persons to compose a new Board of Superintendance, as the Case may require, or to remove any Member or Members of the existing Board, or to appoint so many new Members of any such existing Board as they shall think proper, but so as that there shall not at any Time be more than Twelve Members of any such Board; and any Three or more of such Board of Superintendance, One of whom at the least shall be a Justice of the Peace, shall be in all Cases competent to do and perform any Matter or Thing whatsoever, in execution of any Duty required by this Act to be done and performed by the Grand Jury of such County, or County of a City or Town, or by any Three or more of such Grand Jury, in the visiting, superintending, and directing of any Gaol, Bridewell, or House of Correction, or any other County Prison within such County, or County of a City or County of a Town, and in all other respects whatever relating to any such Gaol, House of Correction, or County Prison, and to the Gaoler and Officers thereof, and to the Prisoners therein, as such Grand Jury, or any Three of them, could or might lawfully do; and every such Act shall be deemed and taken to be, and shall be described and expressed as the Act of the whole Board of Superintendance, and shall be as valid and effectual to all Intents and Purposes whatsoever, as if the same had been done by such Grand Jury, or any Three of them, under the express Provisions of this Act.

appoint not less than Six nor more than Twelve Persons, One Third being Justices or Grand Jurymen, to be a Board of Superintendance of the Gaols within the County.

Three to be a Quorum, One being a Justice; and their Acts to be as valid as if done by Grand Jury or Three Grand Jurymen.

XXX. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of His Majesty's Privy Council in *Ireland*, from Time to Time to make such Rules, Orders, and Regulations as shall appear to the said Lord Lieutenant and the Privy Council to be requisite and necessary for the Management and Regulation of the *Smithfield* Penitentiary and of the *Richmond*

Lord Lieutenant may make Orders for the Regulation of the Smithfield Penitentiary and Richmond Bride-

well, and for the Classification of Prisoners.

*mond* Bridewell in *Dublin*, and for the Appointment of the Gaolers, Keepers, and all other Officers of the said Penitentiary and Bridewell respectively; and such Prisoners only shall be committed to and confined in the said Penitentiary and Bridewell respectively as shall be specified and directed in and by such Rules, Orders, and Regulations; and such Rules, Orders, and Regulations may be from Time to Time altered and amended in like Manner; and also that it shall and may be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of the said Privy Council, to make and give such Rules, Orders, and Regulations as shall appear to the said Lord Lieutenant and the Privy Council to be requisite and necessary for the Classification of Prisoners within the Gaol of *Newgate*, in the City of *Dublin*, and also within the said Penitentiary and Bridewell respectively; and for the Separation of Male from Female Prisoners, and of Prisoners labouring under any Sickness, Disorders, or Diseases, from such Prisoners as are in Health, and of Prisoners committed for Trial only from such Prisoners as shall have been convicted of any Crime or Offence, and shall be under Sentence of Punishment; and generally to make such Rules, Orders, and Regulations for the Classification and Distribution of the Prisoners herein-before mentioned, and in all other Respects, as may conduce to the safe Custody, Health, and moral Reformation of the Prisoners, as well in the said Gaol of *Newgate* as in the said Two Penitentiaries; and all such Rules, Orders, and Regulations as shall be made with respect to the said Gaol of *Newgate*, shall be transmitted to the Sheriffs of *Dublin*, and shall be carried into Execution under the Superintendance of the said Sheriffs, who are hereby required to obey and to cause Obedience to be paid to all such Rules, Orders, and Regulations as shall be so from Time to Time made by the said Lord Lieutenant and Privy Council.

Offenders may be committed to any Penitentiary House within the County.

XXXI. And be it further enacted, That from and after the passing of this Act, whenever any Person shall be lawfully convicted before any Court or Judge, or Justice of Peace, of any Offence, and shall be punishable by Imprisonment, it shall and may be lawful for such Court or Judge, or Justice, to sentence such Offender to be confined in any Penitentiary House within the County, County of a City, or County of a Town, where such Offender shall be convicted; and such Offender shall and may be committed to and detained in such Penitentiary House accordingly; any Law, Usage, or Custom to the contrary notwithstanding.

Title to all Lands purchased under Valuations by Juries summoned under Warrants, though improperly directed, declared valid.

XXXII. And whereas by the said herein-before recited Act of the Fiftieth Year of the Reign of His said late Majesty, it is among other Things provided, that it shall be lawful for the Commissioners for building or enlarging Gaols or other Prisons therein mentioned, or any Three or more of them, to issue their Warrants or Precepts for impannelling Juries for the Valuation of Lands or Tenements necessary for such Purpose, to the Sheriff of the County, County of a City, or County of a Town, to return a sufficient Pannel: And whereas Lands and Tenements have been from Time to Time purchased under Valuations made by such Juries, but Doubts have in some Instances

arisen as to the Sheriff to whom such Precept ought to have been directed; and it is expedient that such Valuations and Purchases should be established, and such Doubts prevented for the future; be it therefore enacted, That the Title to any Lands, Grounds, Houses, Tenements, or Buildings heretofore purchased under the Provisions of the said recited Act, for any of the Purposes therein mentioned, shall be and be considered good, valid, and effectual to all Intents and Purposes whatsoever, notwithstanding any Objection that may arise or be made thereto on account of any Warrant or Precept of any such Commissioners having been directed to a Sheriff to whom any such Warrant or Precept ought not to have been directed, and notwithstanding any Error that may have arisen from or by reason of such Misdirection in any of the subsequent Proceedings; and that from and after the passing of this Act, in all Cases wherein any such Commissioners shall proceed to require a Jury to be impannelled under the said recited Act for any of the Purposes therein mentioned, the Warrant or Precept for that Purpose shall be directed to the Sheriff of the County, County of a City, or County of a Town, wherein the Land, Ground, Tenements, or Hereditaments so to be purchased respectively shall be situate: Provided always, that if such Prison shall belong to a County at large, and shall be situate or intended to be built within any County, County of a City, or County of a Town, and the Lands, Ground, Tenements, or Hereditaments to be purchased, shall be the Estate of or belong to the Corporation of such County of a City, or County of a Town, or to any Corporation within the same, then and in every such Case such Precept shall be directed to the Sheriff of such County at large.

Such Warrants shall in future be directed to Sheriff of County where Lands lie.

Exception as to Lands belonging to a Town Corporate where a County Gaol is to be built.

XXXIII. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful for the Grand Jury of any County, County of a City, or County of a Town, in *Ireland*, to present any Sum or Sums of Money to be raised for the repairing or enlarging of, or for the making any Addition to any Gaol, Bridewell, House of Correction, or other Prison in *Ireland*, and to direct that such Presentment shall be raised by Half-yearly or Yearly Sums or Instalments, in like Manner as Grand Juries are, by the said recited Act of the Fiftieth Year of His late Majesty's Reign, authorized to do for the building of any new Gaol, Bridewell, House of Correction, or other Prison; and that as soon as any such Presentment shall be made, or at any Time after the making of such Presentment, and before the Completion of such Work, it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, if he or they think proper so to do, to cause such Advances to be made 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, as by the said recited Act are authorized with respect to Advances on the Faith of Presentments made for the building any new Gaol, Bridewell, House of Correction, or other Prison; and it shall be lawful for any Person or Persons to advance any Sum or Sums on the Faith of such Presentment, and all such Advances shall be made, and shall be applied and repaid in such Manner, and under such Rules, Regulations, and Directions, in all Respects, as are contained in the said recited Act with respect to

Presentments may be made for repairing or enlarging Gaols.

Lord Lieutenant may order Advances to be made out of the Consolidated Fund to the Treasurer of the County.

Advances authorized to be made by the said recited Act, in case of Presentments for building any new Gaol, Bridewell, House of Correction, or other Prison.

Notice to be put up in every Prison that Fees are abolished.

XXXIV. And be it further enacted, That from and after the Expiration of Fourteen Days next after the passing of this Act, there shall be hung up in a conspicuous Manner, in the Chapels and Day Rooms of each and every Prison in *Ireland*, a Notice in the following Words, *videlicet*, "Notice is hereby given, that all Prison "Fees whatsoever are abolished by Act of Parliament; and any "Gaoler, Turnkey, Clerk of the Crown, Clerk of the Peace, or "his or their Deputy or Deputies, or other Officer, taking or de-"manding any Fee, Gratuity, or Reward, is thereby subject to a "Penalty of Five Pounds."

Duties to be performed by Grand Juries may, in the County of Dublin, be performed at Presenting Terms.

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

Not to extend to the Marshalsea Courts.

XXXVI. Provided always, and be it enacted, That nothing in this Act before contained shall extend to the Marshalsea of the Four Courts of the City of *Dublin*, nor to the Marshalsea of the City of *Dublin*.

Act may be altered this Session.

XXXVII. And be it further enacted, That this Act may be altered, amended, or repealed within this present Session of Parliament.

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