

ANNO QUARTO

GEORGII IV. REGIS.

CAP. XCIII.

An Act to divide the County of *Cork*, for the Purpose of holding additional General Sessions therein. [18th *July* 1823.]

WHEREAS the County of *Cork* is very extensive and populous, and it is requisite, for the due Administration of Justice within the said County, and the Preservation of the Peace therein, that General Sessions of the Peace should be holden frequently therein; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *September* One thousand eight hundred and twenty-three, for the Purpose of holding the General Sessions of the Peace in the said County of *Cork*, and for and in respect of all Matters relating to such General Sessions, but not for any other Purpose or in any other Respect, the said County of *Cork* shall be and the same is hereby declared to be divided into Two Ridings, Districts, or Divisions, to be called the East Riding and the West Riding of the County of *Cork*; and that the East Riding of the said County of *Cork* shall comprize and contain the Baronies and the Liberties following; that is to say, the Barony of *Duhallow*, the Barony or united Baronies of *Orrery* and *Kilmore*, the Barony or united Baronies of *Coudons* and *Clongibbons*, the Barony of *Fermoy*, the Barony of *Kinnatalloon*, the Barony of *Imokilly*, the Barony of *Kerry-Currihy*, the Barony of *Kinnalea*, the Barony of *Barrymore*, the Barony of *Barretts*, the Barony of *East Muskerry*, (except only the Parishes of *Aheena* and *Ahabullog* within the said Barony), the Liberties of the City of *Cork*, the Liberties of *Youghal*, and the Liberties of *Kinsale*; and the West Riding of the said County of *Cork* shall comprize and contain the Baronies and Parts and Divisions of the Baronies following; that is to say, the Barony of *Beer* or *Bear*, the Barony of *Bantry*, the

For holding General Sessions the County of Cork shall be divided into Two Ridings.

East Riding described.

West Riding described.

the Barony of *West Muskerry*, the Parishes of *Aheena* and *Ahabullog* in the Barony of *East Muskerry*, the Barony of *Kinalmeaky*, the Barony of *Courcies*, the Barony or united Baronies of *Ibanne* and *Barryroe*, otherwise called *Barryroe* and *Ibanne*, and the Baronies of *East Carbery* and *West Carbery*, consisting of the Eastern and Western Divisions of *East Carbery*, and the Eastern and Western Divisions of *West Carbery*; and from and after the said First Day of *September* the said County is hereby declared to be divided accordingly for the Purposes aforesaid, and no other.

Such Division shall not alter any Privilege or Jurisdiction.

II. Provided always, and be it enacted, That such Division of the said County of *Cork*, for the Purposes aforesaid, shall not be extended nor construed to extend to change or alter, or to limit or abridge, or abolish, any Power, Authority, Jurisdiction, Right, Duty, or Privilege of any High Sheriff, Sub-Sheriff, or Under-Sheriff, Justice of the Peace, or other Magistrate, Clerk of the Crown, Clerk of the Peace, or other Officer whatsoever, of or in the said County, who shall at the passing of this Act, or at any Time after the passing of this Act, shall hold, exercise, or enjoy any such Office, or any other Civil Office whatever within the said County of *Cork*; but that all the Powers, Authorities, Jurisdictions, Rights, Duties, and Privileges of such Officers shall continue in force and be exercised and carried into Effect throughout the said County of *Cork*, in like Manner, to all Intents and Purposes whatsoever, as if this Act had not been had or made, except only so far as it is expressly provided and directed by this Act.

Five General Sessions shall be holden in every Year, alternately in the East and West Riding.

III. And be it further enacted, That Five General Sessions of the Peace shall be holden in the Course of every Year, in each of the said Ridings or Divisions, so that one General Session shall be holden in every Month, excepting in the Two Months in which the General Assizes shall be holden for the County at large; and that such General Sessions shall be holden alternately in the East Riding and in the West Riding of the said County, and at such Times that there shall, if possible, be Three clear Weeks between the End of the Session in one of the said Ridings or Divisions and the Beginning of the ensuing Session in the other of the said Ridings or Divisions; and that such General Sessions shall be holden in the East Riding of the said County, alternately in the City of *Cork* and in the Towns of *Middleton*, *Fermoy*, *Mallow*, and *Kanturk*; and that such General Sessions shall be holden in the West Riding of the said County, alternately in the Towns of *Bandon*, *Macroom* (otherwise called *Macromp*), *Bantry*, *Skibbereen*, and *Clonakilty*; and that the first General Session for the said East Riding shall be held as soon as may be in the Month of *September* One thousand eight hundred and twenty-three, in the City of *Cork*; and that the first General Session for the said West Riding shall be held in the Month of *October*, in the Town of *Bandon*; and that the subsequent General Sessions of the Peace shall be holden alternately in the said East and West Ridings, at the several other Towns above mentioned, in the said respective Ridings, in the Order in which such Towns are herein-before named, and so from Year to Year in the like Order: Provided always, that nothing herein contained shall be taken to alter or affect the Manner of making known the Periods at which the several Sessions shall be held.

In the East Riding General Sessions shall be held alternately in Cork, and in Middleton, Fermoy, Mallow, and Kanturk:

In the West Riding General Sessions shall be held in Bandon, Macroom, Bantry, Skibbereen, and Clonakilty.

IV. And

IV. And be it further enacted, That for the Purpose of holding the said General Sessions of the Peace, and of all Matters connected with or relating to such General Sessions, the said Two Ridings or Divisions shall be distinct and separate Counties, and shall be deemed and considered and shall be distinguished as such by the Name and Description of *Cork* County East Riding, and *Cork* County West Riding, in all Warrants, Processes, and Proceedings relative to any Matters determinable at any such General Sessions respectively; and that all such Matters and Causes shall be heard, tried, and determined, and all such Proceedings shall be had and done at such General Sessions, for each of such Ridings respectively, for and in respect of Matters arising within the said Ridings respectively, as might have been heard, tried, determined, had or done, at any General or Quarter Session of the Peace for the County of *Cork*, under any Act or Acts, or Law or Laws in force immediately before the passing of this Act, for and in respect of Matters arising within the said County at large; and that no Process, Plea, or Proceeding, nor any Cause, Matter, or Thing whatever, shall be removed or removable, or transferred or transferrable, from any General Session to be holden in either of the said Ridings to any General Session holden in the other of the said Ridings; and no Decree or other Order or Proceeding at any General Session to be holden in either of the said Ridings shall be of any Validity, Force, or Effect, nor shall or may be executed or be enforced or put in Execution in the other of the said Ridings, otherwise than if the said respective Ridings were Two distinct and separate Counties; and any and every Person, who shall be charged in either of the said respective Ridings with any Offence cognizable at the General Sessions, shall be held to bail, and shall be arraigned and tried in that Riding only in which the Offence shall be charged or alleged or supposed to have been committed; and all Justices of the Peace and Magistrates shall and they are hereby authorized and required to return any Informations for Offences taken before them to the General Sessions to be holden within the Riding in which such Offence shall be charged or alleged or supposed to have been committed.

In all Processes County shall be distinguished by Cork County East Riding, and Cork County West Riding.

No Process removable from one Riding to the other.

Persons chargeable with Offences to be tried only in the Riding where committed.

V. And be it further enacted, That it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time, in case he or they shall think fit so to do, to nominate and appoint a practising Barrister at Law of Six Years standing at the least, or who shall have actually practised Six Years, and shall not at the Time of his Appointment have retired from Practice in His Majesty's Courts of Law in *Dublin* for more than Two Years, to act as an Assistant to the Justices at the several Sessions of the Peace, and Adjournments thereof, to be holden under this Act for the East Riding of the said County of *Cork*; and in like Manner to appoint another Barrister, qualified in like Manner, to act as such Assistant at the several Sessions of the Peace, and Adjournments thereof, to be holden for the West Riding of the said County of *Cork*; and that it shall be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland* for the Time being, to nominate and appoint the Barrister who at the Time of the passing of this Act shall hold the Office of Assistant Barrister of the said County of *Cork* to be the Assistant Barrister,

Lord Lieutenant to appoint a Barrister to act as an Assistant to the Justices in each Riding.

The present Assistant Barrister for Cork may be appointed.

Barrister, or to be One of the said Two Assistant Barristers, for both or either of the said Ridings of the said County, as shall seem fit to such Lord Lieutenant or other Chief Governor or Governors of *Ireland*; and that the said Two Assistant Barristers respectively, in case Two shall be appointed, shall have all such Powers, Jurisdictions, and Authority, in and for such Riding of the said County for which they shall be respectively appointed, as the Assistant Barrister for the County of *Cork* heretofore had in and for the whole of the said County, and as any Assistant Barrister can or may have in or for any County in *Ireland*; and it shall and may be lawful for each of such Assistant Barristers severally and respectively to receive, and to be paid, the like yearly Salary as is payable to or receivable by the Assistant Barrister of any County in *Ireland* under the Provisions of any Act or Acts in force in *Ireland* at the Time of the passing of this Act.

Powers of Assistant Barristers.

His Salary.

VI. And be it further enacted, That the several Days to be from Time to Time appointed for commencing and holding the several alternate General Sessions of the Peace in the East and West Ridings of the said County of *Cork*, pursuant to the Directions of this Act, shall be from Time to Time ascertained and settled by the High Sheriff of the said County of *Cork*, the said Two Assistant Barristers to be appointed for the said Ridings, and the Clerk of the Peace of the said County of *Cork*, in concert with each other; and that no such General Sessions shall be holden in either of the said Ridings in the Month of *August* in any Year, nor in the Month in which the General Spring Assizes for the County of *Cork* shall be holden in any Year; and if it shall happen that any such Spring Assizes in the said County shall in any Year commence so near the Conclusion of any Month as to be continued into the next Month, the said High Sheriff, Assistant Barristers, and Clerk of the Peace shall determine in which of the said Two Months a General Session shall be holden; and such General Session shall in all Cases be holden at such Time that there shall be One clear Week at least between the first or last Days of such Sessions and the last or first Day of the General Assize for the County.

High Sheriff, Two Assistant Barristers, and Clerk of the Peace, to settle the Time of commencing and holding the several alternate General Sessions, &c.

VII. Provided always, and be it enacted, That it shall and may be lawful for the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, on the Representation of the Grand Jury at any Assizes for the said County of *Cork*, to nominate and appoint any other Town or Place, in the East Riding or West Riding of the said County respectively, for the holding of any General Sessions under this Act, in lieu of or alternately with any Town in such Riding mentioned in this Act; and such General Sessions shall be holden at such Town or Place so to be nominated and appointed in lieu of or alternately with any Place in this Act mentioned, and as if such Town or Place had been specified in this Act.

Lord Lieutenant, on Representation of Grand Jury, may appoint other Towns in the East or West Riding for holding General Sessions.

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